

TOWN OF IPSWICH
MASSACHUSETTS

BOARD OF SELECTMEN MEETING
SELECTMEN'S MEETING ROOM – TOWN HALL, 25 GREEN STREET
Monday, May 2, 2016 at 7:00 PM
AGENDA

<u>Approx. Time</u>	<u>Posted Time</u>	
7:00 PM		1. Pledge of Allegiance
7:01 PM		2. Welcome/Announcements – N. Mootafian
		a) Introduction of Waterways Committee Members
7:05 PM		3. Citizen Queries - N. Mootafian
7:12 PM		4. Announcement of Board and Committee Vacancies – N. Mootafian
7:20 PM		5. Final Pavilion Beach Plans – Chief Nikas
7:30 PM		6. Economic Development Advocacy Group – E. Rauscher
8:00 PM		7. Discussion – Alcohol on Town Property & One-Day Liquor License Policy – J. Breaker & Chief Nikas
8:15 PM	8:15 PM	8. PUBLIC HEARING – Altman Realty Trust Flammables License – N. Mootafian
8:05 PM		9. Review ATM Items – RATM Articles & Miscellaneous Items – N. Mootafian
8:45 PM		10. Conservation Restriction for Carpenter Property – V. Johnson
9:00 PM		11. Approval of Minutes – N. Mootafian
		a) April 9, 2016 – Bean Counting
		b) April 19, 2016
		12. Consent Agenda – N. Mootafian
9:05 PM		a) One Day Liquor License(s)
		b) Application for Street/Sidewalk Blocking
		c) Common Victualler License(s)
9:10 PM		13. Sub-Committee Reports - Various
9:15 PM		14. Old Business – N. Mootafian
9:20 PM		15. New Business* - N. Mootafian
		16. Miscellaneous and Correspondence – N. Mootafian
9:25 PM		a) Approved Banner List
		b) Employee Status Update

*All business not reasonably anticipated 48 hours in advance of the meeting

Agenda items may be taken out of order to fill time gaps. All times other than public hearing times are approximate.

MEMORANDUM

TO: BOARD OF SELECTMEN
FROM: JENNIFER F. BREAKER, SPECIAL ASSISTANT TO BOS/TM
SUBJECT: BOARD AND COMMITTEE TERM ANNOUNCEMENT
DATE: 4/28/2016

I attach a listing of term announcements for Board of Selectmen appointed Boards and/or Committees. These term expirations are either from a vacancy or an expiring term.

Kindly announce that the listing of available positions is posted to the Town website under Boards and Committees. Citizens who are currently serving and wish to be reappointed or citizens who are interested in being appointed to a board and/or committee must complete a Board or Committee Appointment Request Form and return it to Jennifer Breaker in the Board of Selectmen's office by May 23, 2015. The form is available on the website or in the Board of Selectmen's office.

All requests will be presented to the Board for consideration at the June 6, 2016 meeting.

This information will be posted on the website.

Town of Ipswich

Board of Selectmen Appointments – Notice of Positions Available on Boards and Committees

The following board and committee positions are available on June 30, 2016:

<u>Position:</u>		<u>Number of Positions:</u>
Agricultural Commission:	3-year term at large	2
	1-year term at large, alternate	5
Architectural Preservation District Commission:	3-year term at large	2
	1-year term at large, alternate	1
Athletic Playing Field:	3-year term	2
Audit Committee:	3-year term BOS Member	1
Council on Aging:	3-year term at large	3
	3-year term at large, alternate	1
Cultural Council:	3-year term at large	3
Design Review Board:	3-year term at large	1
Eight Towns & the Bay Committee:	2-year term at large	1
	3-year term at large	1
Electric Light Sub-Committee:	3-year term at large	1
Finance Committee:	3-year term at large	2
Government Study Committee:	3-year term at large	4
Library Trustee:	3-year term at large	3
MBTA Advisory Board:	1-year term at large	1
Recycling Committee:	3-year term at large	2
Registrar of Voters	3-year term at large	1
Sandy Point Advisory Committee:	3-year term at large	1
	2-year term at large	1
Shellfish Advisory Sub-Committee:	1-year term Commerical Clammer if possible	1
Shade Tree & Beautification Committee:	3-year term at large	3
Trust Fund Commission:	3-year term	1
Wastewater Sub-Committee:	3-year term at large	1

	3-year term BOS Member	1
Water Sub-Committee:	3-year term at large	2
Zoning Board of Appeals:	5-year term at large	1
	3-year term at large, associate	2

Interested residents should submit applications, which are available online at www.ipswichma.gov/getinvolved. Hardcopies may be submitted to the Town Manager's Office, 25 Green Street, Ipswich, MA 01938, or electronically to jenniferb@ipswich-ma.gov , not later than May 23, 2016.

Date: April 28, 2016



TOWN OF IPSWICH

Department of Public Safety

15 Elm Street
IPSWICH, MASSACHUSETTS 01938

Chief Paul A. Nikas
Director of Public Safety

(O) – 978-356-4343
(F) – 978-356-6625

TO: Charmain Nishan Mootafian, Board of Selectmen

FROM: Chief Paul A. Nikas, Director of Public Safety

DATE: May 2nd, 2016

SUBJECT: Pavilion Beach Improvements - UPDATE

After meeting with the Board and listening to your comments about our previous plan for the Pavilion Beach, The Town Public Safety Department, in conjunction with the Public Works Department (Dir. Rick Clarke, Frank Ventimiglia & Jeff Putur), have created the following amended plan.

1. LAUNCHING & RECOVERY of KAYAK / PADDLEBOARDS / SUPs:

To address the issue of illegally launching non-motorized vessels along the beach, we propose to install 2 telephone poles at both ends of the beach, cut to approximately 5.5' above grade, approximately 12-16 feet apart. Signage will be affixed that prohibits any parking between the signs on the north and south end of the beach. On the south end poles, additional signage will be installed notifying people about the regulations that the launch area for non-motorized vessels is at the north end of the beach only. This design will minimize any impact on nature and minimize any visual "pollution" to the scenic views of Plum Island Sound. This work would require the filing of an NOI with the Conservation Commission and may result with mitigation work to the resource area. The costs associated with this installation project cannot be established until the Board provides direction on our proposal and estimates can be requested.

2. PARKING CONCERNS & IMPROVEMENTS FOR EMERGENCY VEHICLE ACCESS

Parking during heavy beach use created some poor parking configurations that could limit safe pedestrian movement and hinder emergency vehicle access. The parking congestion never created a critical safety issue but there were legitimate concerns. The installation of the poles mentioned in paragraph 1 will create two access points for emergency vehicles and personnel if they are needed on the beach.

I intend to add a summer beat/bicycle patrol on weekend days to police operations. This position will be staffed by a Special Police Officer already accounted for in the budget and the officer will be repurposed for this assignment. This will allow me to control costs but provide a needed service for Ipswich. When the forecast calls for a "good beach day" the officer will be assigned to crowd/traffic control at Pavilion Beach. On days this is not necessary, the officer will

be assigned to downtown Ipswich or another public area in need of a designated police presence on foot/bicycle patrol.

We also recommend making a sign, to put along the north end of the beach, along the brush line, which would display the parking layout on the attached plan as an index to assist with parking. The sign would be 48" X 60" in size and be made from .08 aluminum and placed under a wooden kiosk. The wooden kiosk protects the sign from UV rays and extends its life while adding some aesthetic appeal to the sign. The cost of the sign would be approximately \$1,000.00 and the wooden kiosk approximately \$500.

Along the north end of the beach, on the brush line, we would replace and install all new "No Parking" signs to ensure there is an access way to the north end launch area from Little Neck Rd.

A "No Parking – Private Property" sign will be installed, at the south end of the beach, just over the property line between the Town and Little Neck Condo Association on their property.

3. RESIDENTIAL USE / PARKING ONLY

We will post signage which reads, "playground parking only" at the nearby playground to discourage beach overflow parking in the area designated for the local playground.

4. BATHROOM ACCESS

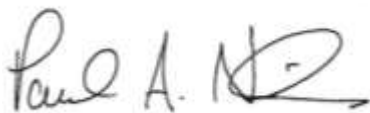
We determined that placing a "jiffy john" unit near the playground was the only logical choice to eliminate the issue that played out several years ago when the unit ended up in the water at the beach. Additionally, it must be noted that the Town's Conservation Agent Alecia Geilen was concerned that if the unit was positioned anywhere on the beach lot, celestial high tides could flood the area and tip over the "jiffy john" unit, thus spilling chemicals into the water. The approximate cost for rental of a "jiffy john" unit is \$175 per month and would need to be added to the DPW budget.

5. DOG ISSUES

Dogs are not allowed on the beach from Memorial Day through Labor Day, but are allowed at all other times. Additional signage to remind dog owners of this regulation will be installed in three locations; north end, south end and middle of the beach.

Additionally, a seasonal dog waste station will be installed at the north end of the beach, along the brush line, to provide a proper disposal location for dog waste.

Sincerely,



Chief Paul A. Nikas
Director of Public Safety









**RULES & REGULATIONS
of Pavilion Beach**

NO

Launching of Boats From Trailers or Driving
Unauthorized Vehicles at Pavilion Beach
Memorial Day thru Labor Day

Dogs Memorial Day thru Labor Day

Consumption of Alcoholic Beverages

Loitering, Obstruction, or Public Nuisance

Littering or Open Fires

Overnight Camping

NO LIFEGUARD ON DUTY
SWIM AT YOUR OWN RISK !





Welcome to the
TOWN OF IPSWICH
**EAGLE HILL
PUBLIC LANDING**

RULES & REGULATIONS

- The Landing is for Use by Permit Only for Ipswich Residents
- No Overnight Parking or Storage of Vehicles, Boats, or Trailers
- Parking of Unattached Trailers is Not Allowed at Any Time
- Park in an Orderly Manner -- Do Not Block Vehicles
- Do Not Park on Pavement
- Parking Violators Will Be Towed!
- Use of Alcoholic Beverages is Prohibited
- Please Respect the Residential Character of the Neighborhood -- Avoid Excessive Noise!
- No Littering

OSTER BEDS
CLOSED

CLAM BEDS
OPEN

TOWN OF IPSWICH
Department of Planning & Development

TO: Board of Selectmen

Date: April 27, 2016

FROM: Glenn C. Gibbs, Planning Director

Copies To: Town Manager
EDAG

SUBJECT: Concept Description for Town-Wide Marketing Plan

REFERENCE: Presentation at Your Meeting on Monday, May 2nd

Attached you will find above-referenced document, which the Economic Development Advocacy Group (EDAG)* and I prepared for discussion with you this coming Monday. The document provides a rationale and a concept description for a *Marketing Plan for the Town of Ipswich*. After incorporating feedback from you, the Town Manager, and stakeholders, including other relevant town boards and commissions, the EDAG and the Planning Director will finalize the concept and then move forward with the process of developing the *Plan*.

As noted in the attachment, the marketing efforts aims to help a community work smarter, by providing a citizen-centered focus, determining who is most likely to respond to what the community has to offer, defining the factors that will affect community success, delivering the right programs or services, and monitoring efforts so that they can be continually improved. A successful marketing plan will include a situation analysis, vision statement, goals, market segmenting (e.g., visitors; residents; businesses), market research, positioning, a strategic blend of marketing tools, an evaluation of results, a budget, and an implementation plan.).

Although details about the content of the *Plan* and the process of developing it are still under discussion, for the marketing plan to be successful, all stakeholders must have the opportunity to participate in its development. Some of the entities who will partner together in this initiative will be businesses, residents, town officials, the Ipswich Chamber of Commerce, the Ipswich Partnership, and the Trustees of Reservations, and the Ipswich Cultural Commission.

By helping a community work smarter, a marketing plan can provide significant benefits, such as helping to recruit and retain industry and office facilities, draw tourists, attract and retain retail development, draw shoppers downtown, and attract certain categories of persons and families. A disciplined marketing approach also builds on itself: A local economy that is supported by town government and which serves many of the needs of its residents and draws visitors will in turn attract new businesses and residents.

The way that a community such as Ipswich is perceived by others – out-of-of-town businesspeople and investors, tourists, shoppers, young people – is defined every day by other people, and those perceptions strongly influence location and investment decisions. Developing a marketing plan allows us to play a role in shaping those perceptions, instead of leaving it solely to others.

*Since its establishment last summer by the Town Manager, the EDAG has been meeting regularly with the Planning Director and others to pursue its charge. The Group consensus is that one of its priorities should be Goal 7 of the town's Economic Development Strategy: "In conjunction with the business community and local partners..., develop and implement a marketing strategy and marketing materials."

While recognizing that the Town will benefit from a comprehensive Marketing Plan, we should not overlook the Town's current initiatives that market Ipswich in a positive and beneficial way. For example, under the leadership of the Town's Recreation and Culture Director, the Town has sponsored several events in recent years that have grown in popularity annually and which have attracted visitors young, old, and in-between to explore our downtown, walk along our river, visit our historic houses, and do some shopping while they are here.

Some exciting new marketing efforts will take place this spring. In May, a downtown walking map which identifies three walking trails and many points of interest will be published and widely distributed. In June, wayfinding signs will be installed throughout town. This is a major step forward for Ipswich, as a key component of any marketing effort is to create a clear, comprehensive and visually attractive sign system to brand the community and direct visitors to points of interest.

The initial focus of the marketing effort would be to determine the scope of the work to be undertaken. A full-blown marketing effort would require significant work by professional marketing consultants, and thus come at a significant cost (i.e., over \$50,000). A more modest effort might be doable with existing resources, but would be of lesser value and would likely take much longer to complete than the first alternative identified. A third option would be to create a scope that would require some degree of professional consulting experience, but which would rely on local resources for much of the work. A ballpark estimate is that this option could be done for less than \$30,000.

Once the scope of work for the Marketing Plan has been settled upon, the EDAG will develop a budget and then identify funding sources. One potential funding source is the Planning Office operating budget, which has \$5,000 available for economic development purposes for FY16, and will have another \$5,000 available if the FY17 budget is approved by the Annual Town Meeting in May. Other funding for the effort could come from private sources, perhaps through the efforts of a nonprofit such as the Ipswich Partnership. Discussion with the Partnership about playing such a role is already underway.

As noted above, the timeline for completing a marketing plan for the town is partly dependent on the chosen scope. A ballpark estimate is that a plan done entirely in-house would take well over a year, a plan done entirely by paid consultants would take about six months, and a plan which is developed through a combination of local and outside resources could probably be completed in about nine months.

We look forward to discussing this exciting endeavor with you on Monday evening.

Concept Presentation
of
Marketing Plan
for the
Town of Ipswich

Town of Ipswich
Economic Development Advocacy Group
April 27, 2016

Introduction

This document was prepared by the **Economic Development Advocacy Group (EDAG)**, in concert with the Planning and Development Director, for presentation to the Board of Selectmen on May 2, 2016. It provides a rationale and a concept description for a *Marketing Plan for the Town of Ipswich*. After incorporating feedback from the Selectmen, the Town Manager, and other relevant town boards and commissions, the **EDAG** and the Planning Director will begin the process of developing the *Plan*.

Background

In August of 2015, Ipswich Town Manager Robin Crosbie appointed the **EDAG*** and directed them to “work with the Director of Planning and Development and the Town Manager to provide ... support to and input on the town’s economic development programs and activities.” Specifically, the Town Manager charged the **EDAG** with the following:

- Assist the town in defining “economic development” in a manner that appropriately serves Ipswich’s demographics and resources.
- Advocate for projects, programs, grants and initiatives that enhance the economic well-being of Ipswich, either directly or indirectly, at the local, state and regional board or agency level.
- Work with the Ipswich departments, business community and residents in facilitating economic development initiatives.
- Assist the town in quantifying benefits and costs of projects in order to assess economic and social impact.
- Identify impediments to economic development and recommend solutions.

Since its establishment, the **EDAG** has been meeting regularly with the Planning Director and others to pursue its charge. The Group consensus is that one of its priorities should be Goal 7 of the town’s Economic Development Strategy^{**}: “In conjunction with the business community and local partners..., develop and implement a marketing strategy and marketing materials.”

*The members of the **EDAG** possess expertise and experience in a broad spectrum of fields and sectors, including commercial real estate, banking, town government, local merchants, large businesses, marketing, non-profits, and economic development consulting. For a list of the members, their affiliations, and contact information, see Attachment A.

**The Ipswich Economic Development Strategy, which was finalized in August of 2016, was prepared by the Director of Planning & Development, in conjunction with the Town Manager. The Strategy, which is consistent with the Downtown Retail Assessment (2014), the Ipswich Town Character Statement (2004), and the 2003 Ipswich Community Development Plan, is the guidance document for the Town’s economic development program.

What is a Marketing Plan?

As described by marketing experts Jim Mintz and Bernie Colterman, a municipal marketing plan is a disciplined effort aimed at helping a community work smarter. It can do so in a variety of ways, such as providing a citizen-centered focus, determining who is most likely to respond to what the community has to offer, defining the factors that will affect community success, delivering the right programs or services, and monitoring efforts so that they can be continually improved. A successful marketing plan will include a situation analysis, vision statement, goals, market segmenting (e.g., visitors; residents; businesses), market research, positioning, a strategic blend of marketing tools, an evaluation of results, a budget, and an implementation plan. Two examples of Economic Development Plans that contained a well-crafted marketing strategy are: *Economic Development, Branding & Marketing Plan for the City of Snoqualmie, WA* (http://icma.org/en/icma/knowledge_network/documents/kn/Document/302142/City_of_Snoqualmie_Washington_Economic_Development_Branding_Marketing_Plan) and *An Economic Development Action Plan for Saxonville and Nobscot*, two village commercial centers in Framingham, MA (<http://www.framinghamma.gov/DocumentCenter/View/20726>).

How Will We Develop the Plan?

Because a marketing plan is based on a community's wants and needs, these must be clearly stated and widely agreed upon if the plan is ultimately to be effective. Thus, the town's vision statement should ring true, and the goals should be familiar and attainable. For example, the town's vision statement might be something like the following:

Ipswich, Massachusetts is a vibrant community with a wide-variety of historic, recreation, and cultural activities for residents and visitors alike to enjoy year-round. Our town is the perfect combination of new and old. We bridge history by enjoying a variety of cultural and outdoor recreational activities that are complemented by a bustling downtown retail community and thriving food & drink culture.

Likewise, one of the Town's goals might be something like this: *Undertake a campaign that draws tourists and attracts residents to existing business and organizations, as well as recruit businesses that meet unmet needs and support existing businesses.*

Another important component of the plan will be market segmentation, which involves dividing the broad target market into subsets, each of which has its own needs and interests. Thus, for example, the overall vision for a healthy town, by interest group, might read something like this:

Residents: *Many of the goods and services a resident need can be found within the downtown or in one to two convenient business districts (e.g. bakery, clothing store, hardware store etc.).*

Businesses: *The town and business community will provide assistance and remove barriers to creating, promoting and growing a business.*

Visitors: *Ipswich has recreation attractions for everyone (historical resources, beaches, trail networks, canoeing), and plenty of options for shopping and dining.*

Although details about the content of the plan and the process of developing it are still under discussion, we understand that for the marketing plan to be successful, all stakeholders must have the opportunity to participate in its development. Some of the entities who will partner together in this initiative are:

- Businesses
- Residents
- Town Officials (e.g., Selectmen, Historical Comm, FinCom, Town Manager, DPW)
- Ipswich Chamber of Commerce
- Ipswich Partnership
- Ipswich Museum
- The Trustees of Reservations
- Ipswich Cultural Commission
- Entities with which we currently partner

Of the stakeholders identified above, the Town is best-positioned to lead the parties, not just in creating a comprehensive and successful marketing plan, but also in sustaining it. The Town can and should do this in a number of ways, such as inviting businesses, historical groups and members of the artistic community together on a regular basis to ensure that the annual promotional activity, marketing content, and media strategy are consistent with the plan. Undertaking such an effort in partnership will all interested parties will strengthen the relationships between town government, the business community, and civic groups.

Why Do We Need a Marketing Plan?

By helping a community work smarter, a marketing plan can provide significant benefits, such as helping to recruit and retain industry and office facilities, draw tourists, attract and retain retail development, draw shoppers downtown, and attract certain categories of persons and families. A disciplined marketing approach also builds on itself: A local economy that is supported by town government and which serves many of the needs of its residents and draws visitors will in turn attract new businesses and residents.

The way that a community such as Ipswich is perceived by others – out-of-town businesspeople and investors, tourists, shoppers, young people – is defined every day by other people, and those perceptions strongly influence location and investment decisions. Developing a marketing plan allows us to play a role in shaping those perceptions, instead of leaving it solely to others.

What is Happening Now?

While recognizing that the Town will benefit from a comprehensive Marketing Plan, we should not overlook the Town's current initiatives that market Ipswich in a positive and beneficial way. For example, under the leadership of the Town's Recreation and Culture Director, the Town has sponsored several events in recent years that have grown in popularity annually and which have attracted visitors young, old, and in-between to explore our downtown, walk along our river, visit our historic houses, and do some shopping while they are here.

Some exciting new marketing efforts will take place this spring. In May, a downtown walking map which identifies three walking trails and many points of interest will be published and widely distributed. In June, wayfinding signs will be installed throughout town. This is a major step forward for Ipswich, as a key component of any marketing effort is to create a clear, comprehensive and visually attractive sign system to brand the community and direct visitors to points of interest. Last year the Town developed a logo (Choate Bridge), a slogan (Bridging History) and a hierarchy of sign types unified by color and font, and then funded the first year of a three-year implementation plan.

How Do We Move Forward?

The first step forward is to determine the scope of the work to be undertaken. A full-blown marketing effort would require significant work by professional marketing consultants, and thus come at a significant cost (i.e., over \$50,000). A more modest effort might be doable with existing resources, but would be of lesser value and would likely take significantly longer to complete than the first alternative identified. A third option would be to create a scope that would require some degree of professional consulting experience, but which would rely on local resources for much of the work. A ballpark estimate is that this option could be done for less than \$30,000.

Once the scope of work for the Marketing Plan has been settled upon, the EDAG will develop a budget and then identify funding sources. One potential funding source is the Planning Office operating budget, which has \$5,000 available for economic development purposes for FY16, and will have another \$5,000 available if the FY17 budget is approved by the Annual Town Meeting in May. Other funding for the effort could come from private sources, perhaps through the efforts of a nonprofit such as the Ipswich Partnership. Discussion with the Partnership about playing such a role is scheduled to occur later this month.

As noted above, the timeline for completing a marketing plan for the town is dependent in part on the chosen scope. A ballpark estimate is that a plan done entirely in-house would take well over a year, a plan done entirely by paid consultants would take about six months, and a plan which is developed through a combination of local and outside resources could probably be completed in about nine months.

Town of Ipswich
Economic Development Advocacy Group
April 27, 2016

Appendix A

Town of Ipswich

Members of Economic Development Advisory Group

<u>Name</u>	<u>Representation</u>	<u>email address</u>
Russ Cole	local banking community	rcole@firstipswich.com
Ed Dick	local realtor community	ed@jbarrettrealty.com
Umesh Bhaju	downtown merchants	zumis@zumis.com
Jonathan Bornstein	technology marketer	bornsteinjon@gmail.com
Tom Wheeler	EBSCO	TWheeler@ebSCOhost.com
Brian Tinger	New England Biolabs	Tinger@neb.com
Michael Schaaf	economic development consultant	michael.schaaf@comcast.net
Edward Rauscher	Board of Selectmen	ebrauscher@gmail.com
Carla Villa	Marketing Dir., Ipswich Brewery	carla@ipswichalebrewery.com
Peter Pinciario	Trustees of Reservations	pjpinciario@ttor.org

Department of Planning & Development
April, 2016

MEMORANDUM

TO: BOARD OF SELECTMEN
FROM: JENNIFER F. BREAKER, SPECIAL ASSISTANT TO BOS/TM
SUBJECT: ALCOHOL BEVERAGES ON TOWN PROPRTY & ONE DAY LICENSE POLICY
DATE: 4/29/2016

At your April 4, 2016 meeting Chief Nikas and I appeared before you to discuss revisions to the Town's policy for one day liquor licenses. We focused on three main issues: 1) updating the policy; 2) allowing one day licenses to be issued for Town property; and 3) Recommendation for outdoor seating on Town property (i.e. sidewalks). There were a few follow up questions and comments from that meeting.

The Board inquired about what the one day liquor liability insurance policy would cover. In summary it would cover incidents occurring during the 24-hours the policy is active relating specifically to the event the policy is pulled for.

There was also discussion about appointing a Police Officer as the Licensing Officers to provide feedback about events. Chief Nikas is preparing a recommendation on this matter and will present that on Monday night.

We added a requirement to the policy for events on Town property that deals with the overtime cost of a custodian. This update is highlighted in teal in the attached policy.

Attached to this memo is an updated policy (revision shown in teal highlight) and the original memo we presented to the Board on April 4, 2016.

Chief Nikas and I will be present at your meeting Monday to discuss this policy and ask for the Board to adopt the updated policy.

Town of Ipswich

Special (“One-Day”) Liquor License Regulations

Adopted on: _____ Adopted By: Board of Selectmen

Purpose:

A Local Licensing Authority (LLA), in Ipswich, the Board of Selectmen, may issue Special One Day Liquor license to the responsible manager of an indoor or outdoor activity or enterprise, per M.G.L. c.138 §14. This policy outlines the regulations for the issuance of such a license and the application process.

General:

1. Special licenses (M.G.L c.138 §14) for the sale of wine and malt beverages, may be issued by the local licensing authorities, to the responsible manager of any indoor or outdoor activity or enterprise. Special licenses for the sale of all alcoholic beverages (which can included wine and malt beverages), may be issued by the local licensing authorities to the responsible manager of any nonprofit organization conducting any indoor or outdoor activity or enterprise.
2. Special One-Day License may only be issued to by the LLA to a natural person, although the licensee may be a responsible manage acting on behalf of a corporation, partnership, or other entity. The applicant is an individual person, not the non-profit organization.
3. No person may be granted special licenses for more than a total of thirty (30) days per calendar year.
4. A Special license cannot be granted for a premise licensed under section 12 or 15 of M.G.L. c.138.
5. A license under this section shall not be granted to any person while his application for a license under section twelve (12) is pending before the licensing authorities.
6. Charities which have wine donated must apply for a Charitable Wine Pouring Permit or Charitable Wine Auction Permit (M.G. L c.138 §12). Both applications require at least 60 days and require approval from the LLA and the ABCC.
7. The LLA may refuse to issue or reissue a Special One-Day license, if the licensee fails to comply with state of local regulations or any reasonable requirements of the local licensing authority. The LLA may suspend, cancel or revoke a special license, if the licensee fails to comply with state of local regulations or any reasonable requirements of the local licensing authority.

Non-Profit Organization

Non-profit organizations may apply for either a Special One-Day All Alcoholic Beverage License or a Special One-Day Wine and Malt Beverage License. An organization is “non-profit” if it is organized pursuant to M.G.L. c.180. Proof of an organizations non-profit status must be included as part of the application.

Profit Making Organizations

Profit making organizations may apply for a Special One-Day Wine and Malt Beverage License only.

Alcohol Must be Purchased from a Wholesaler

Alcohol, wine and malt must be purchased from an approved licensed wholesaler (M.G. L c.138 §18 and 204 CMR 7.05). A list of licensed wholesaler is available from the Board of Selectmen’s office and on the ABCC website (www.mass.gov/abcc - found on the right side under News & Updates). Within five (5) business days after the event, a paid receipt from the ABCC authorized wholesaler must be provided to the Board of Selectmen’s office.

Holders of Section 12 of Section 15 licenses, that are not Massachusetts licensed wholesalers, are subject to disciplinary action by the LLA if such a license is found to have illegally sold alcohol to Section 14 license holders.

Alcohol cannot be donated for Special One-Day Events (M.G. L c.138 §18 and 204 CMR 7.05).

Application Process

The applicant must fully complete the application for a Special One-Day Liquor License. The application and fee must be submitted at least sixty (60) days prior to an event if it is the first time the particular event has occurred or forty-five (45) days prior if the event is a repeat event and there are no changes. A site plan of the area to be licensed must be included with the application.

All applications are reviewed by the Board of Selectmen's office, Police Department, Fire Department and Board of Health. Other Town departments may be required to review the application depending on the location. Once reviewed applications are submitted to the Board of Selectmen for approval.

Requirements

1. Alcohol, wine and malt must be purchased from an approved licensed wholesaler (M.G. L c.138 §18 and 204 CMR 7.05). A list of licensed wholesaler is available from the Board of Selectmen's office and on the ABCC website (www.mass.gov/abcc - found on the right side under News & Updates). Within five (5) business days after the event, a paid receipt from the ABCC authorized wholesaler must be provided to the Board of Selectmen's office.
2. A copy of the licenses shall be prominently posted adjacent to where the alcoholic beverages are dispensed and shall be available for inspection during the hours and at the location for which it is being issued.
3. Special One-Day Licensees may only serve alcoholic beverage between the hours of 10:00 a.m. and 11:30 p.m. All applications shall detail the requested hours for the event. Notwithstanding the foregoing, the LLA may alter the specific hours and terms of sale and service of alcohol.
4. The last drink must be served thirty minutes before the closing hours as stated on the approved license. All glass and bottles must be cleared from the licensed area within fifteen (15) minutes after the closing hour.
5. All servers shall have successfully completed an approved alcoholic beverage server training program and shall provide evidence of the same with the application.
6. Any licensee and his/her employees, agents, and/or volunteers may not drink any alcoholic beverage during the event or after the closing hour at the licensed premise.
7. No alcoholic beverage shall be sold or given to anyone under twenty-one years of age, under the influence of drugs or to an intoxicated person.
8. Pursuant to ABCC regulations, no licensee, his/her employees, agents, and/or volunteers of a licensee shall deliver more than two (2) drinks to any one person at one time [204 CMR 4.3(1)(b)].
9. The Ipswich Police Department and the LLA or its agents shall have the right to review the special one-day license at the event to ensure that its provisions are adequately completed. The Licensee shall cooperate fully at such inspection.
10. No alcohol may be stored on any unlicensed premise. For special events covered under the Special One-Day License, alcohol must be delivered the day of the event and removed from the premises after the event at the expiration of the license. Under State Alcoholic Beverage Control Law, M.G.L. c.138 §22, holders of a Special One-Day license may not transport alcohol without a permit.

Licensed Premises

1. The applicant for the special license must obtain permission to use the proposed license location prior to filing the application. The applicant may be required to submit written proof of permission to use proposed location.
2. The area for the service and consumption of alcohol must be delineated according to the approved site plan and monitored periodically through the event by the licensee.
3. The premise to be licensed shall be in compliance with the Fire Department's seating capacity limit.
4. If the premise to be licensed is an indoor venue, said premise must have a valid certificate of occupancy.
5. The LLA or Police Department may require a police detail for an event.

Outside Events – Not on Town Property

The LLA may require a site visit prior to approval of outside events and may require additional security. It is essential that the licensee have control of the area in order to preclude service of underage persons, to intoxicated persons and other violations. The premises must have a durable means of boundary to prevent patrons or members of the public from wandering in and out. The licensees should have a view of the outside of the premises at all times. The area should have

adequate means of entrance and exits in case of emergency. Applicants shall consider the type of neighborhood and the potential for noise in the environment. If a tent will be used during the event the licensee is responsible for obtaining a tent permit.

Events on Town Property

The LLA authority may issue Special One-Day license for Town property (Town Bylaws, Chapter XV, Section 1C). All organizations interested in serving alcohol on or in Town property must obtain a Special One-Day license. This includes, but is not limited to, the use of Town owned buildings, greens, streets and common ways. Special One-Day License will not be granted for events on/at official Town parklands (Town Bylaws, Chapter XIII, Section 1C) which include: the North Green. The Town has the right to reject any requests to serve alcohol on Town property. Attendance at the Board of Selectmen's meeting when the request is going to be discussed is required.

Requirements for Events on Town Property: In addition to the requirements listed above the following additional requirements must be completed:

1. Applicant must provide proof of General Liability Insurance and Liquor Liability Insurance, both of which name the Town as an additional insured prior to the event. If proof of both insurances with the Town named as an additional insured is not provided prior to the event, the one day special liquor license will be void.
2. Special One-Day Licensees for events on Town property may only serve alcoholic beverage between the hours of 10:00 a.m. and 9:00 p.m. All applications shall detail the requested hours for the event. Notwithstanding the foregoing, the LLA may alter the specific hours and terms of sale and service of alcohol.
3. A detailed map of the defined area where alcohol will be served and/or consumed must be included in the application. The map must include points of access, emergency vehicles access points and details about what will be used to mark the area (ropes, walls, barricades, etc.).
4. Any request for the Department of Public Works to provide barricades must be coordinated with said department. If the request entails overtime of employees, the cost of the overtime is to be paid by the applicant.
5. Events in/on Town property may require a custodian to be present. If the request entails overtime of custodians, the cost of the overtime is to be paid by the applicant.
6. Events on Town properties may require additional police details at the discretion of the Chief of Police. All costs of police details are the responsibility of the applicant.
7. Only one drink per person may be served on Town property and drinks served must be under, eight (8) ounces (mixed drinks and wine); one (1) ounce for distilled spirits; and twelve (12) ounces for beer
8. For outdoor events, all alcohol must be served in plastic cups/glasses.
9. If there are additional licenses and/or permits needed for the event (i.e. entertainment license, tent permit, food permits), they must be obtained prior to the license being issued.

MEMORANDUM

TO: BOARD OF SELECTMEN
FROM: JENNIFER F. BREAKER, SPECIAL ASSISTANT TO BOS/TM
SUBJECT: ALCOHOL BEVERAGES ON TOWN PROPERTY & ONE DAY LICENSE POLICY
DATE: 4/1/2016

Chief Nikas and I have reviewed the current policy for one day liquor licenses and reviewed similar policies from other towns. We have also looked at Outdoor seating on Town property for Section 12 licensees. We have focused on three main issues: 1) updating the policy; 2) allowing one day licenses to be issued for Town property; and 3) Recommendation for outdoor seating on Town property (i.e. sidewalks)

Special One Day Licenses

Attached is a revised Special One Day Liquor License policy for review and discussion. This policy includes new requirements and expands to include requirements for Special One-Day licenses for Town property.

I spoke with our insurance company, MIIA, regarding our policy and the requirements and changes that would need to happen in order for us to allow alcohol on Town property. As long as the Town requires the licensee to obtain one-day liquor liability and general liability insurance and name the Town an additional insured there is nothing the Town needs to do to our policy.

We surveyed surrounding and comparable communities to inquire if they allow alcohol on Town property: Gloucester, Manchester, Essex and Rowley allows alcohol on Town property with Special One-Day License and/or BOS approval. Swampscott only allows alcohol on Town property for Town sponsored events. Hamilton does not allow alcohol on Town property.

We are further suggesting an increase in the fee for Special One-Day licenses. Currently the Town charges \$30 for a wine & malt one-day license and \$50 for all alcohol. We are proposing \$100 fee for both license types. There is no difference in the amount of work and review for the license depending on the type of alcohol to be served therefore we are suggesting the same fee for each license type. Attached is a survey of fees.

Outdoor Seating on Town Property – Section 12 Licenses

Newburyport and Salem are two communities that allow outdoor seating (on sidewalks) for Section 12 licenses (annual restaurant licenses). We are supportive of outdoor seating for Section 12 licenses. Allowing outdoor seating increases tourism and economic development.

Review of these request should be done as part of the new license application process or an application to amend the licensed premise. These requests should be reviewed by the Police Department, Fire Department, Building Department, Health Department and Planning Department

prior to review by the Board of Selectmen. The office can develop guidelines to assist the Board and various Department to use when reviewing requests by Section 12 licensees for outdoor seating.

We would also recommend a questionnaire for applicants to answer which address the following questions:

1. Please include a detailed map of the area to be licensed. Please delineate on this map the area owned and controlled by the Town of Ipswich which you are requesting to serve alcohol on.
2. Are you able to amend your liquor liability policy to include this area and name the Town an additional insured?
3. What months are you requesting to have outdoor seating? What are your hours of operation?
4. Do vehicles directly abutted the area where alcohol is to be served?
5. Please detail your plan to delineate the area where alcohol will be served.
6. Have your employees completed an alcoholic beverage server training program?
7. Describe the public benefit of including outdoor seating to this license.

Chief Nikas and I will be present at your meeting Monday night to discuss this item and answer any question you may have.

TOWN OF IPSWICH PUBLIC HEARING

Residents of the Town of Ipswich please note the Board of Selectmen will hold a public hearing in the Selectmen's Meeting Room of the Town Hall on Monday, May 2, 2016 at 8:15 PM to pursuant to Massachusetts General Law, Chapter 148, Section 13. The purpose of the hearing is to act on a request by Altman Realty Trust for a license to store Flammable and Combustible Liquids, Flammable Gases and Solids, in accordance with NFPA 30 pursuant to 527 CMR 1.00 Table 1.12.8.50, specifically 2,000 gallons of gasoline stored in vehicle tanks at 11A Old Right Road.

Board of Selectmen
Nishan D. Mootafian, Chair

NW-CN13412584

☐ **PROOF O.K. BY:** _____ ☐ **O.K. WITH CORRECTIONS BY:** _____

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

NW-CN13412584 (100%)

ADVERTISER: IPSWICH TOWN MANAGER

SALES PERSON: NWON01

SIZE: 1.694X3

PUBLICATION: NW-IPSWICH CH

PROOF CREATED AT: 4/4/2016 4:59:12 AM

NEXT RUN DATE: 04/07/16

PROOF DUE: 04/06/16 04:59:55

MEMORANDUM

TO: BOARD OF SELECTMEN
FROM: JENNIFER F. BREAKER, SPECIAL ASSISTANT TO BOS/TM
SUBJECT: PUBLIC HEARING – ALTMAN FLAMMABLE LICENSE
DATE: 4/28/2016

I attach an application from Altman Realty Trust for a Flammables license for 11A Old Right Road. All application requirements and fees have been satisfied.

Further, I attach a memo from Chief Gagnon relative to this item.

The applicant and Chief Gagnon will be at your meeting on Monday.

Kindly vote on the attached request(s).



FP-002A
(Rev. 1.1.2015)

The Commonwealth of Massachusetts

City/Town of Ipswich

Application For License

Massachusetts General Law, Chapter 148 §13

☒ New License ☐ Amended License

GIS Coordinates

LAT.

LONG.

License Number

Application is hereby made in accordance with the provisions of Chapter 148 of the General Laws of Massachusetts for a license to store flammables, combustibles or explosives on land in buildings or structures herein described.

Location of Land: 11A OLD RIGHT ROAD 38A-008B-A

Number, Street and Assessor's Map and Parcel ID

(BOOK - PAGE)
25148-520

Attach a plot plan of the property indicating the location of property lines and all buildings or structures.

Owner of Land: ALTMAN REALTY TRUST

Address of Land Owner: 114 WATER ST. BEVERLY, MA 01915

Use and Occupancy of Buildings and Structures: AUTOMOBILE STORAGE

If this is an application for amendment of an existing license, indicate date of original license and any subsequent amendments

Attach a copy of the current license

Flammable and Combustible Liquids, Flammable Gases and Solids

Complete this section for the storage of flammable and combustible liquids, solids, and gases; see 527 CMR 1.00 Table 1.12.8.50; Attach additional pages if needed. All tanks and containers are considered full for the purposes of licensing and permitting.

PRODUCT NAME	CLASS	MAXIMUM QUANTITY	UNITS gal., lbs, Cubic feet	CONTAINER UST, AST, IBC, drums
<u>GASOLINE</u>	<u>I</u>	<u>2000 GAL.</u>		
<u>GASOLINE STORED IN VEHICLES TANKS</u>				

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FEB 29 P 2 27

Total quantity of all flammable liquids to be stored: 2000 Gallons

Total quantity of all combustible liquids to be stored: _____

Total quantity of all flammable gases to be stored: _____

Total quantity of all flammable solids to be stored: _____

LP-gas (Complete this section for the storage of LP-gas or propane) N/A

Indicate the maximum quantity of LP-gas to be stored and the sizes and capacities of all storage containers. (See 527 CMR 1.00 Table 1.12.8.50)

- ❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: _____

List sizes and capacities of all aboveground containers used for storage: _____

- ❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: _____

List sizes and capacities of all underground containers used for storage: _____

Total aggregate quantity of all LP-gas to be stored: _____

Fireworks (Complete this section for the storage of fireworks) N/A

Indicate classes of fireworks to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

- ❖ Maximum amount (in pounds) of Class 1.3G: _____ Type/class of magazine used for storage: _____

- ❖ Maximum amount (in pounds) of Class 1.4G: _____ Type/class of magazine used for storage: _____

- ❖ Maximum amount (in pounds) of Class 1.4: _____ Type/class of magazine used for storage: _____

Total aggregate quantity of all classes of fireworks to be stored: _____

Explosives (Complete this section for the storage of explosives) N/A

Indicate classes of explosive to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

- ❖ Maximum amount (in pounds) of Class 1.1: _____ Number of magazines used for storage: _____

- ❖ Maximum amount (in pounds) of Class 1.2: _____ Number of magazines used for storage: _____

- ❖ Maximum amount (in pounds) of Class 1.3: _____ Number of magazines used for storage: _____

- ❖ Maximum amount (in pounds) of Class 1.4: _____ Number of magazines used for storage: _____

- ❖ Maximum amount (in pounds) of Class 1.5: _____ Number of magazines used for storage: _____

- ❖ Maximum amount (in pounds) of Class 1.6: _____ Number of magazines used for storage: _____

I, DAVID R. ALTMAN, hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.

Signature David R. Altman Date 1-14-16 Name DAVID R. ALTMAN

Fire Department Use Only

I, Gregory G. Gagnon, Head of the Ipswich Fire Department endorse this application with my

☒ Approval ☐ Disapproval

Signature of Head of the Fire Department Gregory G. Gagnon Date 2-16-16

Recommendations: Transfer of product shall be prohibited from container to container



foot Abutters List Report

Ipswich, MA
February 29, 2016

Subject Property:

Parcel Number: 38A 008B 0
CAMA Number: 38A 008B B
Property Address: 11 OLD RIGHT RD

Mailing Address: ALTMAN DAVID TRS ALTMAN
MARGARET TRS
114 WATER STREET
BEVERLY, MA 01915

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IPSWICH, MASS.

Abutters:

Parcel Number: 27C 001 0
CAMA Number: 27C 001 0
Property Address: 320 LINEBROOK RD

Mailing Address: VIHONSKY PAUL & JO ANN HUFFCUT
320 LINEBROOK RD
IPSWICH, MA 01938

Parcel Number: 27C 031 0
CAMA Number: 27C 031 0
Property Address: 59 TURNPIKE RD

Mailing Address: CASEY WILLIAM TRS JAMES REALTY
TRUST
23 OLD RIGHT ROAD
IPSWICH, MA 01938

Parcel Number: 27D 008B 0
CAMA Number: 27D 008B 0
Property Address: 7 OLD RIGHT RD

Mailing Address: AMARAL BRETT J
7 OLD RIGHT ROAD
IPSWICH, MA 01938

Parcel Number: 27D 010 0
CAMA Number: 27D 010 0
Property Address: 316 LINEBROOK RD

Mailing Address: GALLEGOS RICHARD TE GALLEGOS
DANIELLE
316 LINEBROOK ROAD
IPSWICH, MA 01938

Parcel Number: 38 002 0
CAMA Number: 38 002 0
Property Address: 13 OLD RIGHT RD

Mailing Address: BODYCOTE HOOVEN INC % BODYCOTE
THERMAL PROC.
12700 PARK CENTRAL DR STE 700
DALLAS, TX 75251-1518

Parcel Number: 38 003 0
CAMA Number: 38 003 0
Property Address: 9 OLD RIGHT RD

Mailing Address: WILLOWDALE INDUST PARK COND
MASTER CARD
210 COMMON LANE
PRIDES CROSSING, MA 01965

Parcel Number: 38 003 0
CAMA Number: 38 003 001
Property Address: 9 OLD RIGHT RD

Mailing Address: KRUKONIS EDWARD E JR
P O BOX 146
PRIDES CROSSING, MA 01965

Parcel Number: 38 003 0
CAMA Number: 38 003 002
Property Address: 9 OLD RIGHT RD

Mailing Address: KRUKONIS EDWARD E JR
P O BOX 146
PRIDES CROSSING, MA 01965

Parcel Number: 38 003 0
CAMA Number: 38 003 003
Property Address: 9 OLD RIGHT RD

Mailing Address: WILLOWDALE INDUSTRIAL PARK LLC
206 COMMON LANE P O BOX 146
PRIDES CROSSING, MA 01965

Parcel Number: 38A 008A 0
CAMA Number: 38A 008A 0
Property Address: 17 OLD RIGHT RD

Mailing Address: ODOARDI PROPERTIES LLC
6 OCEAN MEADOW LANE
MARBLEHEAD, MA 01945



www.cai-tech.com

This is not a certified abutters list. For a certified abutters list

2/29/2016

Page 1 of 1

Abutters List Report - Ipswich, MA

RA 2/29/16

ROUTE 1 - NEWBURYPORT TURNPIKE

1449.69

FEB 29 P 8 171

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SWICH, MASS.

Formerly
OCIATES, INC.
1 Pine St.
A. 2016

Other Lands of
EUGENE J. PELLETIER
Map 27C, Lot 3
16.31 AC.

"SAID TO BE"
Now or Formerly
Land of
RICHARD HOOKKINS
Map 28A, Lots 2 & 3
Book 222, Page 222

NOTE: REMAINING PORTION OF LOCUS MAP 38A, LOT 8
(9.21 AC.) TO BE COMBINED WITH OTHER LANDS
OF APPLICANT / OWNER MAP 27C, LOT 3.

TO
DELIN
ED
ES
1033
1065
1329
1385
1087
5965

AND G
ON PLAN
(ESSEX CO.)
LLETIER,
1 C.T. MALE

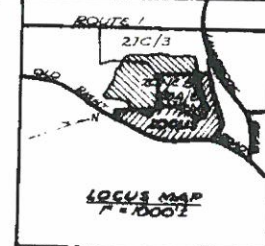
KEY THE
ONLY APPROVED

D IN COMPLIANCE
BETWEEN THE
AND EUGENE J.

OLD
PUBLIC-VARIABLE RIGHT
LAYOUT FOUND - SIDELINES HEREON
TAKEN ON PHYSICAL EVIDENCE AS SHOWN
WILLOWDALE
STATE
Map 28A, Lot 1

FOREST

63
227



PLAN BOOK 222 PLAN 63
DATE: July 1, 1987
John P. O'Brien
Register of Deeds

LOCUS DATA

OWNERS OF RECORD - LOTS 1, 2, 3 AND REMAINING LANDS
EUGENE J. PELLETIER, JR.
129 WATER ST., DANVERS, MA 01923
LOTS 4, 5, AND 6 - RICHARD H. HOOKKINS
TRUSTEE OF OLD RIGHT ROAD REALTY TRUST
116 WATER ST., SEVERLY, MA 01915
ASSESSORS DESIGNATION - MAP 38A, LOT 8
DEED REFERENCE - BOOK 7769, PAGES 85-92 (PELLETIER);
BOOK 6672, PAGE 263 (HOOKKINS)
PLAN REFERENCE - SEE "PLAN OF LAND IN IPSWICH (ESSEX CO.)
MASS. PREPARED FOR EUGENE J. PELLETIER, JR.
MAY 12, 1986, 11/100" BY C.T. MALE ASSOC., INC.
AND RECORDED AS PLAN BOOK 219, PLAN G.
ESSEX SOUTH REGISTRY OF DEEDS.
ZONING - I-INDUSTRIAL, PRA BIRAL RESIDENCE A AS SHOWN
HEREON
FLOOD PLAIN DATA - SEE LOCUS MAP AS SHOWN ON
HUD - F.I.A. FLOOD HAZARD
BOUNDARY MAP PANEL 10, COM-
MUNITY NO. 250086, EFFECTIVE
DATE AUG 5, 1985

PLANNING BOARD

TOWN OF IPSWICH, MASS.
APPROVAL UNDER THE SUB-
DIVISION CONTROL LAW NOT
REQUIRED.
DATE: 4/15/87
SIGNED: [Signature]
[Signature]
[Signature]

REV. 6-17-87 NOTE 3 ADDED.
SCALE IN FEET

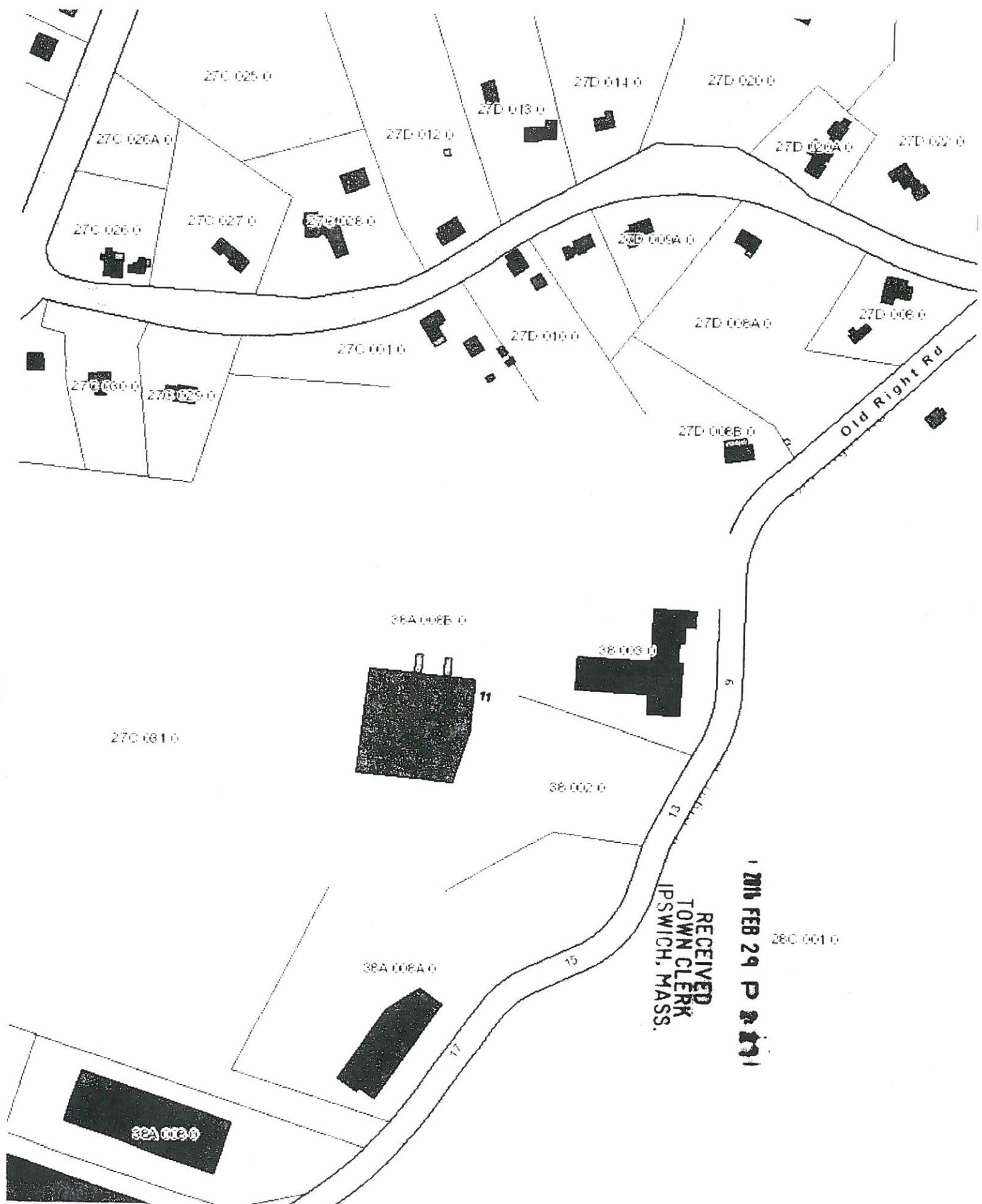
100 50 0 100 200

PLAN OF LAND IN
IPSWICH (ESSEX CO.) MASS.
Prepared for
EUGENE J. PELLETIER, JR. &
OLD RIGHT ROAD REALTY TRUST
DATE: 02/24/87
SUBMIT: SEE PLAN 219, MAP 10, 1987
COMPILED: [Signature]
E.T. MALE ASSOCIATES, INC.
Formerly GEORGE E. ANDREWS & ASSOCIATES, INC.
Engineers, Surveyors and Planners
CANTON'S BLOCK - SUITE 7 - IPSWICH, MA 01938

I CERTIFY THAT THIS PLAN HAS BEEN
PREPARED IN CONFORMITY WITH THE
RULES AND REGULATIONS OF THE REGISTRY
OF DEEDS OF THE COMMONWEALTH OF
MASSACHUSETTS.



Richard R. Thayer



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IPSWICH, MASS.
2016 FEB 29 P 2:11



TOWN OF IPSWICH
25 Green Street
IPSWICH, MASSACHUSETTS 01938

Jennifer F. Breaker
Special Assistant to the
Board of Selectmen & Town Manager

p: (978) 356-6604
f: (978) 356-6616

February 22, 2016

Dear Abutter:

The Ipswich Board of Selectmen will hold a public hearing in the Selectmen's Meeting Room of the Town Hall on Monday, May 2, 2016 at 8:15 PM to pursuant to Massachusetts General Law, Chapter 148, Section 13. The purpose of the hearing is to act on a request by Altman Realty Trust for a license to store Flammable and Combustible Liquids, Flammable Gases and Solids, in accordance with NFPA 30 pursuant to 527 CMR 1.00 Table 1.12.8.50, specifically 2,000 gallons of gasoline stored in vehicle tanks at 11A Old Right Road.

The hearing will be held on Monday, May 2, 2016 at 8:15 PM in the Selectmen's Meeting Room (Room A) of Town Hall, 25 Green Street. A copy of the application is available in the Board of Selectmen's office or will be available on the Board of Selectmen's webpage (<http://www.ipswichma.gov/DocumentCenter/Index/236>) as part of the May 2, 2016 meeting packet. the packet will be posted to the website on Friday, April 29, 2016.

As an abutter, we encourage you to come to the hearing if you have any concerns or questions.

Sincerely,

Jennifer F. Breaker
Special Assistant to the Board of Selectmen
Town of Ipswich



GREGORY G. GAGNON
Chief of Department

TOWN OF IPSWICH

OFFICE OF THE FIRE CHIEF

55 Central Street
Ipswich, Massachusetts 01938

Tel. 978-356-6627
Fax 978-356-6633

March 18, 2016

To: Ipswich Board of Selectman, Local Licensing Authority

From: Gregory G. Gagnon, Fire Chief

Re: 11A Old Right Rd. Flammable Storage License.

The property owner of 11A Old Right Rd is seeking a license to store up to 2000 gallons of Class I liquids (gasoline). The storage is to be in approximately 70 automobiles, averaging 20 gallons per vehicle. Under the Commonwealth of Massachusetts, Code of Fire Prevention Regulations, 527 CMR 1.12.8.50.1 a license from the local licensing authority and a permit from the fire department is required for quantities exceeding 793 gallons. Licenses are issued in accordance to MGL 148 section 13 and are granted to the property and not the individual.

I have attached the above mentioned statute and code for your reference.

- **PART I** ADMINISTRATION OF THE GOVERNMENT
- **TITLE XX** PUBLIC SAFETY AND GOOD ORDER
- **CHAPTER 148** FIRE PREVENTION
- **Section 13** Licenses for land for explosives and inflammable materials; certificate of approval; record; certificate of registrations; fees; replacements and alterations of, and regulations for buildings; explosion hazard; appeals to marshal

Section 13. No building or other structure shall, except as provided in section fourteen, be used for the keeping, storage, manufacture or sale of any of the articles named in section nine, unless the local licensing authority shall have granted a license to use the land on which such building or other structure is or is to be situated for the aforementioned uses, after a public hearing, notice of the time and place of which hearing shall have been given, at the expense of the applicant, by the clerk of the city or of the local licensing authority, by publication, not less than seven days prior thereto, in a newspaper published in the English language in the city or town wherein said land is situated, if there is any so published therein, otherwise in the county in which such city or town lies, and also by the applicant by registered mail, not less than seven days prior to such hearing, to all owners of real estate abutting on said land or directly opposite said land on any public or private street as they appear on the most recent local tax list at the time the application for such license is filed, and unless the application for such license shall have endorsed thereon the certificate of approval or disapproval of the head of the fire department. Such license shall be recorded in the office of the city or town clerk, and it shall, from the time of the granting thereof by the licensing authority, be deemed a grant attaching to the land described therein and as an incident of ownership thereof running with the land and shall not be deemed to be merely a personal privilege. Any license granted hereunder, or any license for the keeping, storage, manufacture or sale of any of the articles named in section nine, granted prior to July first, nineteen hundred and thirty-six, including any license reinstated and continued by the marshal as herein provided, shall remain in force unless and until revoked as hereinafter provided. Any such license granted hereunder shall be subject to such conditions and restrictions as may be prescribed in the license by the local licensing authority, which may include a condition that the license be exercised to such extent and within such period as may be fixed by such authority.

The owner or occupant of said land licensed as herein provided, and the holder of any license for the keeping, storage, manufacture or sale of any of the articles named in section nine, granted prior to July first, nineteen hundred and thirty-six, including any license reinstated and continued by the marshal as herein provided, shall annually, on or before April thirtieth, file with the clerk of the city or town where such license is to be or has been exercised, or in Boston, with the fire commissioner, or in Cambridge, with the board of license commissioners, a certificate of registration setting forth the name and address of the holder of such license; provided, that no certificate of registration

shall be required for any building used as a garage for storing not more than three vehicles, when once used under such a license. The board may by regulation prescribe the amount of any of the articles named in section nine that may be kept in a building or other structure without a license and registration, or either of them. Such fee as may be established from time to time by ordinance or by-law may be charged for any such license, registration or certificate of the head of the fire department, respectively.

Every license granted under this section, and every certificate of registration filed under this section, shall be deemed to be granted or filed upon condition that if the land described in the license ceases to be used for the aforementioned uses, the holder of the license shall within three weeks after such cessation eliminate, in accordance with rules and regulations of the board, all hazardous conditions incident to such cessation. If the holder of the license fails so to eliminate such conditions, the local licensing authority may eliminate such conditions; and a claim for the expense incurred by the local licensing authority in so doing shall constitute a debt due the city or town upon the completion of the work and the rendering of an account therefor to the holder of the license, and shall be recoverable from such holder in an action of contract. Said debt, together with interest thereon at the rate of six per cent per annum from the date said debt becomes due, shall constitute a lien on said land if a statement of claim, signed by the local licensing authority, setting forth the amount claimed without interest is filed, within ninety days after the debt becomes due, with the register of deeds for record or registration, as the case may be, in the county or in the district, if the county is divided into districts, where the land lies. Such lien shall take effect upon the filing of the statement aforesaid and shall continue for two years from the first day of October next following the date of such filing. Such lien may be dissolved by filing with the register of deeds for record or registration, as the case may be, in the county or in the district, if the county is divided into districts, where the land lies, a certificate from the collector of the city or town that the debt for which such lien attached, together with interest and costs thereon, has been paid or legally abated. Such collector shall have the same powers and be subject to the same duties with respect to such claim as in the case of the annual taxes upon real estate; and the provisions of law relative to the collection of such annual taxes, the sale or taking of land for the non-payment thereof, and the redemption of land so sold or taken shall apply to such claim.

The marshal may, upon application and after a public hearing, reinstate and continue in force and effect any license granted prior to July first, nineteen hundred and thirty-six, for the keeping, storage, manufacture or sale of any of the articles named in said section nine, irrespective of the extent of the use and occupancy of buildings or other structures made or had under said license prior to the date of such reinstatement and continuance, anything in the provisions of this chapter to the contrary notwithstanding, unless prior to such reinstatement and continuance said license has been revoked for cause or the marshal shall have determined that a fire or explosion hazard would result from the exercise of such license. The marshal shall give written notice of such application, and of the date of the hearing thereon, to the head of the fire department of the city or town wherein is situated the land to which such application relates and shall,

after such hearing, notify in like manner the clerk of such city or town of the action taken on such application.

Any license granted hereunder between July first, nineteen hundred and thirty-six and August seventeenth, nineteen hundred and fifty-one, both dates inclusive, not exercised for a period of at least three years, may be revoked by the local licensing authority after notice and hearing given to the owner or occupant of the land licensed.

When a fire or explosion hazard exists or is liable to exist due to the exercise of such license, the marshal or the head of the fire department, shall issue an order to the licensee to cease and desist in the exercise of such license and said marshal or said head of the fire department shall direct that reasonable measures to insure safety to the public be undertaken at the expense of the holder of such license.

Any license granted hereunder or any license for the keeping, storage, manufacture or sale of any of the articles named in section nine, granted prior to July first, nineteen hundred and thirty-six, including any license reinstated and continued by the marshal as herein provided, may be revoked for cause, after notice and a hearing given to such owner or occupant, by the local licensing authority or by the marshal. Any building or structure erected or maintained under any of the aforementioned licenses shall always be subject to such replacements and alterations in construction and to such regulations of its use in respect to protection against fire or explosion as the board may prescribe.

Any person aggrieved by the granting of a license hereunder on the ground that the exercise thereof would constitute a fire or explosion hazard may, within ten days after the granting thereof, appeal to the marshal who, after notice and hearing, shall finally determine whether such a hazard would result. If, in his opinion, such a hazard would result, he shall notify the authority granting the license, and such notice when received by such authority shall constitute a revocation of such license and no further license for the same or similar use of the same land shall be granted within one year after the receipt by such authority of such notice.

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1.12.8.50.1 Quantities, Permits and/or License Requirements.

1.12.8.50.2 The activities and aggregate quantities listed in *Table 1.12.8.50* shall be used in determining permit and/or license thresholds.

1.12.8.50.2.1 All tanks, containers, vessels and transport vehicles are to be considered full for the purpose of permitting under this *Code* and under M.G.L. c. 148, § 13.

1.12.8.50.2.2 This section shall not apply to Class II and III liquids that are not heated to or above their flash points and:

(1) That have no fire point when tested by ASTM D 92, *Standard Test Method for Flash and Fire Points by Cleveland Open Cup*, up to the boiling point of the liquid or up to a temperature at which the sample being tested shows an obvious physical change; or

(2) That are in a water-miscible solution or in dispersion with a water and inert (noncombustible) solids content of more than 80% by weight, which do not sustain combustion when tested using the “Method of Testing for Sustained Combustibility”, per 49 CFR 173, *Appendix H*, or the UN *Recommendations on the Transport of Dangerous Goods*.

1.12.8.50.3 If a license is required based on the limits set forth in *Table 1.12.8.50*, it shall be issued in accordance with M.G.L. c. 148, § 13.

1.12.8.50.4 A permit shall be obtained in accordance with *Table 1.12.8.1* through *Table 1.12.8.50* as applicable.

1.12.8.50.5 When storing more than one class of liquid or other materials named in *Table 1.12.8.50*, a license shall only be required for the individual class or materials, which exceed the amounts listed.

1.12.8.50.6 Explosive material classified as Division 1.5 and 1.6 shall not be regulated as an explosive in determining capacities subject to license requirements of M.G.L. c. 148, § 13.

Table 1.12.8.50 Permit and/or License Thresholds

Materials	Quantities	Permit	License
<p>Class I liquids</p> <p><i>Note. Gasoline may be used, kept, or stored in any building not used for habitation nor frequented by the public, ≤ 7 gallons and provided the gasoline is stored in one or more approved containers without a permit.</i></p> <p><i>Note: See alcohol based hand rub Section 1.12.8.1.7.</i></p> <p>* In containers of 60 gallons capacity or less or in portable tanks over 60 gallons capacity not intended for fixed use, including intermediate bulk containers (IBCs) designed for mechanical handling.</p>	< 793 gallons*	yes	no
	≥ 793 gallons	yes	yes

Grantor: David H. Carpenter and Jessica Wrobel
Grantee: Essex County Greenbelt Association, Inc.
For Grantor's title see: Essex County Registry of Deeds Book 29672, Page 35

AMENDED AND RESTATED CONSERVATION RESTRICTION

The undersigned, DAVID H. CARPENTER and JESSICA WROBEL of Ipswich, Essex County, Massachusetts, being the sole owners, for our successors and assigns (hereinafter "Grantor"), and ESSEX COUNTY GREENBELT ASSOCIATION, INC., a Massachusetts not for profit corporation having its principal office at 82 Eastern Avenue, Essex, Essex County, Massachusetts 01929, and its permitted successors and permitted assigns (hereinafter "Grantee"), hereby amend and supercede the Conservation Restriction by Barbara E. Carpenter, originally dated December 29, 1997 and recorded at the Essex South District Registry of Deeds in Book 14509, Page 630, by restating the said Conservation Restriction so that it shall provide in its entirety as hereinafter set forth, but not allow additional uses on or interrupt the perpetual duration of the 1997 Conservation Restriction, and by adding 10.14 acres +/- to said original Conservation Restriction.

The Grantor, acting pursuant to Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws, hereby grants to the Grantee, for nominal consideration, in perpetuity and exclusively for conservation purposes, the following Amended and Restated Conservation Restriction on a parcel of land (the "Premises") located in the Town of Ipswich, Essex County, Massachusetts containing approximately 27.29 acres (the "Premises"), as shown on a plan of land entitled "Plan of Land in Ipswich, MA, property of Barbara E. Carpenter", by Hancock Survey Associates, Inc. dated December 11, 1992 and recorded at Essex Registry of Deeds Plan Book 280 Plan 37, a copy of which is attached as Exhibit A, excluding therefrom that portion of the premises identified as "UNRESTRICTED" on the plan of land entitled "Conservation Restriction Plan in Ipswich, MA, property of David H. Carpenter & Jessica Wrobel" by Donohoe Survey, Inc., dated March 9, 2016, recorded herewith (the "Plan"), a sketch plan of which is attached hereto as Exhibit B.

I. PURPOSES

This Conservation Restriction is defined in and authorized by Sections 31-33 of Chapter 184 of the Massachusetts General Laws and otherwise by law (hereinafter "Restriction" or "Conservation Restriction"). The purpose of this Conservation Restriction is to assure that the Premises will be maintained in perpetuity for conservation purposes in a natural, scenic,

Property Address: 412 and 414 Linebrook Road, Ipswich

agricultural and undeveloped condition, and to prevent any use of the Premises that will materially impair or interfere with the conservation values of the Premises.

The protected conservation values and the public benefits resulting from the protection of the Premises include the following, without limitation:

A. The Grantor and the Grantee recognize the uniqueness of the Premises as a distinctive Massachusetts landscape embodying the special rural, agricultural, and forested character of the region in which the Premises is located and have the common purpose of conserving the natural and agricultural values of the Premises for this generation and future generations; and

B. The Premises contributes to the protection of the scenic and natural character of Ipswich and the protection of the Premises will enhance the open-space value of these and nearby lands; and

C. The Premises is adjacent to other protected open space including the Commonwealth of Massachusetts DCR Willowdale State Forest, and the Elizabeth How and Echo Reservations owned by the Grantee, therefore the protection of the Premises increases the ecological viability and scenic values of the area by creating robust landscape connectivity; and

D. The Premises is part of a highly scenic landscape visible to members of the general public from Linebrook Road, a public way that was designated a Scenic Byway by the Town of Ipswich in 1974; and

E. Approximately 13 acres of the Premises are located within the 500-year floodplain, as identified by the United States Federal Emergency Management Agency, and the protection of this floodplain will ensure the continued availability of this flood storage during major storm events; and

F. The Premises contains a wide diversity of wildlife habitat, including open fields, upland forests, fresh water wetlands, streams, a pond, and vernal pools and used by a variety of wildlife species; and

G. The Premises contain 4 acres identified as BioMap2 Core Habitat for Species of Conservation Concern by the Massachusetts Natural Heritage Program and thus preserves important wildlife habitat; and

H. Wetlands are part of the Ipswich River watershed, a waterway of regional significance both for its drinking water and its wildlife value; and

I. The Premises is mapped by the USDA Natural Resources Conservation Service as having soils designated Prime Farmland Soils and Farmland Soils of Statewide Importance and thus supports a significant farmland resource; and

J. Protection of the Premises furthers the Town of Ipswich's 2013 Open Space and Recreation Plan, specifically: acquire and protect significant land for open space and recreation (Goal 1); preserve the historic, agricultural, and scenic character of the town (Goal 2); and, protect and manage critical natural resources (Goal 3).

These and other conservation values of the Premises, as well as its current uses and state of improvement, are described in a Baseline Documentation Report ("Baseline Report") prepared by Grantee with the cooperation of the Grantor, consisting of maps, photographs, and other documents. The Baseline Report (i) is acknowledged by Grantor and Grantee to be a complete and accurate representation of the condition and values of the Premises as of the date of this Conservation Restriction, (ii) is intended to fully comply with applicable Treasury Regulations, and (iii) is intended serve as an objective information baseline for subsequent monitoring of compliance with the terms of this Conservation Restriction as described herein. The parties may utilize any evidence of the condition of the Premises at the time of this grant other than the Baseline Report, should the Baseline Report be unavailable or if it does not adequately address the issues presented.

Therefore, in order to preserve the Premises in perpetuity in its present natural, scenic, agricultural and open condition, and to protect its conservation values, the Grantor conveys to the Grantee a perpetual Conservation Restriction within the meaning of Chapter 184, Section 31 *et. seq.* of the General Laws of Massachusetts, as amended.

II. PROHIBITED AND PERMITTED ACTIVITIES AND USES

The terms of this Conservation Restriction are as follows:

A. Prohibited Activities and Uses. Except as otherwise herein provided, the Grantor shall neither perform nor permit others to perform any of the following prohibited acts or uses on, above, and below the Premises:

1. Constructing, placing or allowing to remain any temporary or permanent building, structure, facility or improvement, including but not limited to buildings, tennis courts, landing strips or pads, mobile homes, swimming pools, asphalt or concrete pavement, septic systems, roads, signs, fences, billboards or other advertising display, utilities, conduits, poles, antennas (including satellite dishes and cell towers), towers, monopoles, windmills, solar panels, docks, wharfs, or other temporary or permanent structures, facilities, or improvements of any kind on, above or under the Premises;
2. Mining, excavating, dredging or removing of loam, peat, sand, gravel, soil, rock or other mineral resource or natural deposits or otherwise making topographical changes to the Premises;

3. Dumping, placing, filling or storing of soil, vehicle bodies or parts, junk, trash, refuse, solid or chemical waste or any other materials whatsoever, or the installation of underground storage tanks;
4. Cutting, removing, or otherwise destroying trees, grasses, shrubs or other vegetation;
5. Activities detrimental to wildlife habitat, drainage, flood control, water or soil conservation, water quality, scenic qualities, archaeological conservation or erosion control;
6. Use, parking, landing or storage of motorized vehicles of any nature or kind, including but not limited to cars, trucks, motorcycles, trail bikes, all-terrain vehicles, snowmobiles, or similar machines or devices, on the Premises, except such as may be necessary by police, firefighters or other governmental agents in carrying out their lawful duties;
7. Notwithstanding that the Premises at the time of this grant are comprised of two legal parcels, subdivision, creation of a condominium, conveyance of a part or portion of the Premises alone, or division or subdivision of the Premises are expressly prohibited (as compared to conveyance of the Premises in its entirety which shall be permitted);
8. The use of the Premises for (a) transferring development rights to this or any other property, whether or not the receiving land is adjacent to the Premises; or (b) calculating permissible lot yield of this or any other property; or (c) satisfying building or development requirements on this or any other parcel;
9. Any industrial, institutional or commercial use;
10. Any use of the Premises for more than *de minimis* commercial recreational activities, as defined in I.R.C. Section 2031(c)(8)(B) and regulations promulgated thereunder or any successor statute or regulation;
11. The disruption, removal, or destruction of the stone walls or granite fence posts;
12. Any acts or uses which in the opinion of the Grantee and at the Grantee's sole discretion are inconsistent with the purposes of this Conservation Restriction, or which would impair the conservation values unless such use or activity is necessary in an emergency in the opinion of the Grantee and at the Grantee's sole discretion for the protection of the conservation values that are the subject of this Conservation Restriction.

B. Reserved Rights; Exceptions to Prohibited Activities and Uses. The Grantor reserves the right to conduct or permit the following activities on the Premises provided that such

uses and activities do not materially impair the purposes of this Conservation Restriction or other significant conservation interests:

1. Forestry. In accordance with generally accepted forestry Best Management Practices identified by the Commonwealth of Massachusetts Dept. of Conservation and Recreation's Bureau of Forestry or its successor agency, and in a manner not wasteful of soil resources, or detrimental to water quality or other conservation values of this Restriction, (a) selective *de minimis* pruning and cutting to prevent, control or remove hazards, disease, nuisance or invasive species as defined below, insect damage or fire or to preserve the present condition of the Premises, including vistas and trails, and the selective removal of natural regeneration to maintain pasture land; (b) harvesting of trees to provide no more than 10 (ten) cords of firewood or 15,000 board feet of construction materials per year for use on the Premises or on Grantor's adjacent unrestricted property; (c) the right to conduct, or to permit others to conduct, sound silvicultural uses of the Premises for any purpose, including the right to commercially harvest forest products in accordance with a Forest Management or Stewardship Plan, and, if required by state regulations, a Forest Cutting Plan pursuant to M.G.L. c.132 §§40-44, as amended, all prepared by a professional forester licensed to practice forestry in Massachusetts pursuant to M.G.L. c.132, §§ 47-49, which plans shall be consistent with this Restriction and which must also be approved in advance of any commercial harvest by the Grantee;
2. Agricultural Activities. The cultivation, maintenance and harvesting of crops, orchards, trees, flowers and hay; the cleaning, storage and sale of farm produce predominantly grown, produced, or raised on the Premises; the installation, use, and maintenance of irrigation equipment; animal husbandry activities, including beekeeping, the breeding, rearing, maintenance, pasturage, stabling, sheltering and use of livestock, including but not limited to horses, cows, chickens, pigs, sheep and goats; and the construction and maintenance of appropriate sight pervious (non chain-link) fences necessary in connection therewith and not otherwise inconsistent with the purposes of this Conservation Restriction; (collectively, "Agricultural Activities"); provided:
 - a. Said Agricultural Activities shall only occur in areas cleared as of the date of this Restriction, as so shown or otherwise described in the Baseline Report, or in areas permitted to be cleared by this Restriction in paragraph "c" below;
 - b. If the scale, volume, and/or environmental impacts of any or all agricultural activities being conducted on the Premises, or proposed to be conducted on the Premises, are, or will be, sufficient enough to warrant the professional guidance of such activities, as determined by Grantee in its sole discretion, then Grantee retains the right to require Grantor to obtain, and conduct such activities according to, a Farm Conservation Plan that has been reviewed and approved by Grantee, which approval shall not be unreasonably withheld. Unless otherwise

agreed upon in writing, the Grantor shall have one-hundred twenty (120) days to prepare and submit such Plan to Grantee for review and approval, or to cease the activities in question. The Farm Conservation Plan shall be developed by the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) or its successor agency in accordance with best agricultural and conservation practices as recommended by the NRCS or its successor agency, and shall make all reasonable efforts to ensure agricultural activities do not materially impair the Purposes of this Conservation Restriction, and shall, at a minimum, address the following: (1) establish wetland buffers and/or filter strips to prevent adverse impacts to the water quality of existing wetlands and waterways; (2) in the event animal husbandry activities are proposed, establish and govern the type and number of each type of animal unit permitted on the Premises, and analyze the pasturage potential of the Premises and establish and govern the cycling of pasturage, and any other measures necessary to ensure the carrying capacity of the Premises is not exceeded in order to protect water quality, prevent soil erosion, and otherwise protect the conservation values of the Premises;

- c. Limited expansion of existing farm fields may be permitted with prior written approval of the Grantee, which approval shall not be unreasonably withheld, or under an approved Farm Conservation Plan;
 - d. With prior written approval of the Grantee, Grantor shall retain the right to assign to a suitable Lessee or Licensee the right to use and operate the premises for Agricultural Activities in accordance with, and subject to, this Restriction;
 - e. For the purposes of this Restriction, "Agricultural Activities" shall not be deemed to include the following: industrial-scale processing and packaging, industrial-scale feedlot activities, poultry, swine, beef or other meat processing plants, sod farming, or industrial-scale composting.
3. Existing Improvements. The maintenance, repair, and replacement of the existing 45-feet by 16-feet storage shed in substantially in its present location and footprint as documented in the Baseline Report;
4. Barn. In addition to the Existing Improvements permitted above, and with prior written approval from Grantee, which approval shall not be unreasonably withheld, the construction, maintenance, repair and replacement of one (1) barn for Agricultural Activities, and which may include other activities that are consistent with the purposes of the Restriction including, but not limited to, an artist or writing studio, meditation space, and the like, which barn shall not have a footprint in excess of one-thousand two hundred (1,200) square feet, shall not exceed thirty-two (32) feet in height, and further provided that a) the surface condition of the Premises disturbed for said construction shall be restored to the

extent feasible, and b) said Barn shall not be located within those areas of the Plan in Exhibit B identified as “Front Field”;

5. Temporary Structures. For the purposes of this Restriction, the term “temporary” shall mean any improvement without a foundation that can be constructed or removed without any significant disturbance of the soil;
 - a. The construction, maintenance, repair and replacement of temporary structures and improvements for Agricultural Activities, including but not limited to hayracks, jumps, and watering troughs;
 - b. With the prior written approval of the Grantee, which approval shall not be unreasonably withheld, the construction, maintenance, repair and replacement of up to a total of three (3) utility sheds and/or “run-in” shelters or other three-sided shelters, and the like, provided that any such structure shall not have a total footprint in excess of two-hundred (200) square feet. In addition to the other Temporary Structures permitted above, and with prior written approval from Grantee, which approval shall not be unreasonably withheld, the construction, maintenance, repair and replacement of one or more hoop house or other style greenhouses for permitted Agricultural Activities provided that the total footprint of all hoop and greenhouses shall not exceed two-thousand (2,000) square feet and provided that said greenhouses or hoop houses shall not be located in either of the Front Fields;
6. Riding Ring. With prior written approval of the Grantee, which approval may consider the impact of size and design specifications upon the Purposes and conservation values of the Restriction, the creation of an outdoor horse-riding ring with a footprint no greater than 10,000 square feet and located solely in that portion of the Premises identified as “Interior Field” on Exhibit B.
7. Maintenance of Existing Open Areas. The maintenance of existing open areas as described in the Baseline Report and depicted in Exhibit B as “Interior Field” or “Front Field” in an open and unforested condition by mowing, grazing, and the removal of woody regeneration, and the right to use such areas for domestic purposes such as vegetable gardens, fruit trees and shrubs, including the right to plant and maintain non-invasive, native or non-native shade, boundary, and windbreak trees and shrubs and other non-invasive landscaping vegetation; and the construction and maintenance of appropriate, sight-pervious (non chain-link) fences necessary in connection therewith and not otherwise inconsistent with the purposes of this Restriction;
8. Invasive Species Management. The removal of non-native or invasive species of flora or fauna, and the control of species in a manner that minimizes damage to surrounding, non-target species and preserves water quality provided that any said management that may have a greater than *de minimis* impact shall require the prior written approval of the Grantee. For the purposes of this Conservation Restriction, the terms “non-native” or “invasive species” shall be defined as a

species that is non-native or alien to the ecosystem under consideration, and which is likely to cause economic or environmental harm (including crowding out native species) or harm to human health;

9. Habitat Restoration. Measures designed to restore native biotic communities or to maintain, enhance or restore wildlife, wildlife habitat, or rare or endangered species including selective planting of native trees, shrubs and plant species, provided that any such activities that are carried out on more than one (1) acre of land shall require the prior written approval of the Grantee;
10. Composting & Brush piles. The stockpiling, composting, and occasional burning of stumps, tree and brush limbs and similar biodegradable materials originating on the Premises, provided that such stockpiling and composting is in locations where the presence of such activities will not have a deleterious impact on the purposes (including scenic values) of this Restriction;
11. Recreation. Hiking, horseback riding, cross-country skiing, swimming, picnicking, boating, fishing, trapping, hunting, snowshoeing, bicycling, wildlife observation, nature study and other passive, non-motorized, and noncommercial outdoor recreational and educational activities consistent with the purposes of this Conservation Restriction; and the installation of temporary structures designed for and in conjunction with said passive recreational and educational activities, including benches, interpretive signage, gates and fences to control visitors;
12. Carpaths / Woods Roads. The maintenance of currently-existing carpaths and woods roads located on the Premises substantially in their present unimproved condition or as reasonably necessary for the uses permitted herein; and, in order to accommodate use of the carpaths / woods roads as trails, and with prior written permission of Grantee, the installation of boardwalks or similar structures designed to protect wetlands, and the relocation of existing carpaths or the creation of new trails for passive recreational use, provided that the new trails are no greater than five (5) feet in width, and further provided that new trails do not have a negative effect on the purposes of this Conservation Restriction;
13. Vehicle use, Storage, and Parking. The parking and storage of vehicles, machinery, and other equipment used for permitted activities, including as necessary for Forestry, Agricultural Activities, and trail maintenance;
14. Utilities. With prior notice to Grantee, the installation of new, or replacement of existing, power and water lines as necessary to service existing or permitted agricultural structures and Grantor's residences, provided that any new utility lines shall be underground;
15. Driveway. The maintenance and replacement of the existing driveway in substantially its present width and location, with a paved width of not more than 12 (twelve) feet;

16. Septic System. With prior approval of the Grantee, which approval shall not be unreasonably withheld, the construction, repair, replacement and maintenance of the existing septic system to serve the existing or replacement single-family residences on that portion of the property shown as Unrestricted Area on the Conservation Restriction Plan, or as necessary to service the barn permitted by paragraph 4 above, provided that a) no feasible alternative site exists within the Unrestricted Area and, b) the surface of any area of the Premises disturbed for said septic system shall be restored to the extent reasonably practical;
17. Alternative Energy. With prior written permission of the Grantee, the installation of solar panels, wind turbines or other alternative energy technology exclusively for providing power for permitted structures on the Premises or to provide power for the single-family residences on Grantor's adjacent unrestricted land provided that a) no feasible alternative site exists within the Unrestricted Area and, b) the surface of any area of the Premises disturbed shall be restored to the extent reasonably practical;
18. Signage. The erection, maintenance and replacement of a minimal number of signs with respect to hunting, trespass, trail access, identity and address of the occupants, sale of the Premises, the location of boundary lines, the Grantee's interest in the Premises and the protected conservation values;
19. Dam. The maintenance, repair and, with prior written permission of the Grantee, which permission shall not be unreasonably withheld or delayed, replacement or removal of the existing dam located on the Premises;
20. Pond.
- a. The maintenance of the existing pond as necessary to maintain water quality and pond health, provided that any maintenance procedures that involve dredging or similarly invasive measures shall be with prior written approval of the Grantee; and
 - b. the use of the pond to supply water for Agricultural Activities provided that any said use shall be in a manner that does not degrade the water quality or otherwise adversely impact the ecological health of the pond or surrounding waterways; and
 - c. in accordance with generally accepted fisheries Best Management Practices, as those practices may be identified by appropriate governmental or educational institutions, and in a manner not wasteful of natural resources, or detrimental to water quality or other conservation values of this Restriction, the Grantor may stock native fish species in the pond for personal use;
21. Dock. The use, maintenance, and replacement of no more than three (3) floating docks, the total cumulative footprint of which shall not exceed three hundred

(300) square feet (for the purposes of this Restriction, “floating docks” shall be interpreted as Temporary structures) and, with prior permission of Grantee, the construction of a permanent dock, provided that:

- a. the total footprint of said permanent dock shall not exceed 300 (three-hundred) square feet; and
- b. any new permanent dock may only be located on the western shore;

22. Archeological Activities. The conduct of archaeological activities following submission of an archaeological field investigation plan and its approval in writing by Grantee and the State Archaeologist of the Massachusetts Historical Commission or appropriate successor official;

Such other non-prohibited activities requested by the Grantor and expressly approved by the Grantee as are consistent with and that do not materially impair the purposes of this Conservation Restriction.

The exercise of any right reserved by the Grantor under this Paragraph B shall be in compliance with the following: (a) then-current building, zoning, planning, and conservation regulations, bylaws or ordinances applicable to the Premises, (b) any special permits or variances pertaining to the Premises, (c) the Wetlands Protection Act (General Laws Chapter 131, Section 40), and (d) all other applicable federal, state and local laws and regulations. The inclusion of any reserved right in Paragraph B of Section II requiring a permit from a public agency merely means that the Grantor may have a right to request a permit, it does not mean that the Grantee or the Commonwealth of Massachusetts takes any position on whether such permit should be issued.

C. Unspecified Activities and Uses are Prohibited. All acts and uses not expressly permitted in Paragraph B of Section II or otherwise authorized by the Grantee are prohibited.

D. Notice to and Approval by the Grantee. Whenever notice to or approval by the Grantee is required under the provisions of Paragraphs A, B or C of Section II, or any other provision or condition herein, the Grantor shall notify the Grantee in writing not less than thirty (30) days prior to the date the Grantor intends to undertake the activity in question. The notice shall describe the nature, scope, design, location, timetable and any other material aspect of the proposed activity in sufficient detail to permit the Grantee to make an informed judgment as to its consistency with the purposes of this Conservation Restriction. The purpose of requiring such notice is to afford the Grantee with an adequate opportunity to ensure that the activities in question are designed and carried out in a manner that is consistent with the purposes of this Conservation Restriction and to monitor their implementation. Where the Grantee’s approval is required by the terms of this Conservation Restriction, the Grantee shall grant or withhold its approval in writing within thirty (30) days of receipt of the Grantor’s written request therefore. Grantee’s approval may be withheld upon a determination by the Grantee at its sole discretion that the action as proposed would be inconsistent with the purposes of this Conservation Restriction.

III. LEGAL RIGHTS AND REMEDIES OF THE GRANTEE

A. Legal and Injunctive Relief. The rights hereby granted shall include the right to enforce this Conservation Restriction by appropriate legal proceedings and to obtain injunctive and other equitable relief against any violations, including, without limitation, relief requiring restoration of the Premises to their condition prior to the time of the injury complained of (it being agreed that the Grantee will have no adequate remedy at law). The rights hereby granted shall be in addition to, and not in limitation of, any other rights and remedies available to the Grantee for the enforcement of this Conservation Restriction. Grantee agrees to cooperate for a reasonable period of time prior to resorting to legal means in resolving issues concerning violations provided Grantor ceases objectionable actions and Grantee determines there is no ongoing diminution of the conservation values of the Conservation Restriction.

B. Reimbursement of Costs of Enforcement. The Grantor and the successors and assigns of the Grantor covenant and agree to reimburse the Grantee for all reasonable costs and expenses (including without limitation reasonable counsel fees) incurred in enforcing this Conservation Restriction or in taking reasonable measures to remedy or abate any violation thereof, provided that a violation of this Conservation Restriction is acknowledged by the Grantor or determined by a court of competent jurisdiction to have occurred.

C. Non-Waiver by the Grantee. Enforcement of the terms of this Conservation Restriction shall be at the discretion of the Grantee. Any election by the Grantee as to the manner and timing of its right to enforce this Conservation Restriction or otherwise exercise its rights hereunder shall not be deemed or construed to be a waiver of such rights.

D. The Grantee's Disclaimer of Liability. By its acceptance, the Grantee does not undertake any liability or obligation relating to the condition of the Premises pertaining to compliance with and including, but not limited to, hazardous materials, zoning, environmental laws and regulations, or acts not caused by the Grantee or its agents.

E. Acts Beyond the Grantor's Control. Nothing contained in this Conservation Restriction shall be construed to entitle the Grantee to bring any action against the Grantor for any injury to or change in the Premises resulting from causes beyond the Grantor's control, including but not limited to fire, flood, storm and earth movement, or from any prudent action taken by the Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Premises resulting from such causes. In the event of any such occurrence, the Grantor and Grantee will cooperate in the restoration of the Premises, if desirable and feasible.

F. Actions to Prevent or Remedy Violations. The Grantee shall have the right to take appropriate actions to prevent, abate, or remedy violations of this Conservation Restriction, including violations by non-parties.

IV. ACCESS

Access by the Grantee. The Grantor hereby grants to the Grantee, or its duly authorized agents or representatives, the right to enter the Premises upon reasonable notice and at reasonable times, for the purpose of inspecting the Premises to determine compliance with or to enforce this Conservation Restriction. The Grantor also grants to the Grantee, after notice of a violation and failure of the Grantor to cure said violation, the right to enter the Premises for the purpose of taking any and all actions with respect to the Premises as may be necessary or appropriate to remedy or abate any violation hereof, including but not limited to the right to perform a survey of boundary lines. The Grantee shall have the right, but not the obligation, at its sole expense, to perform any other acts required to preserve, conserve or promote the natural habitat of wildlife, fish or plants located on the Premises. The Grantee shall have the right to erect and from time to time replace, at appropriate locations near the boundaries of the Premises, suitable signs identifying the Grantee as the holder of this Conservation Restriction.

V. EXTINGUISHMENT

A. Termination only by Judicial Proceeding. If circumstances arise in the future such as render the purpose of this Conservation Restriction impossible to accomplish, this Restriction can only be terminated or extinguished, whether in whole or in part, by judicial proceedings in a court of competent jurisdiction under applicable law, and after review and approval by the Commonwealth of Massachusetts Secretary of the Executive Office of Energy and Environmental Affairs.

B. The Grantee's Right to Recover Proportional Value. If any change in conditions ever gives rise to extinguishment or other release of the Conservation Restriction under applicable law, which extinguishment or release must be accomplished by judicial proceedings in a court of competent jurisdiction, then the Grantee, on a subsequent sale, exchange or involuntary conversion of the Premises, shall be entitled to a portion of the proceeds in accordance with Paragraph C below, subject however, to any applicable law which expressly provides for a different disposition of proceeds, and after complying with any gift, grant, or funding requirements.

C. Proceeds; The Grantee's Receipt of Property and Development Rights. The Grantor and the Grantee agree that the grant of this Conservation Restriction gives rise to a property right, immediately vested in the Grantee, with a fair market value that is at least equal to the proportionate value that this Conservation Restriction, determined at the time of the gift, bears to the value of the unrestricted Premises at that time and represents all land development rights associated with the Premises, except as such rights may have been specifically retained pursuant to this Conservation Restriction. Such proportionate value of the Grantee's property right shall remain constant.

D. Cooperation Regarding Public Action. Whenever all or any part of the Premises or any interest therein is taken by public authority under power of eminent domain, or if all or any part of this Conservation Restriction is otherwise extinguished by act of public authority, then the Grantor and the Grantee shall cooperate in recovering the full value of all direct and

consequential damages resulting from such action. All related expenses incurred by the Grantor and the Grantee shall first be paid out of any recovered proceeds, and the remaining proceeds shall be distributed between the Grantor and the Grantee in accordance with paragraph C above after complying with the terms of any gift, grant, or funding requirements. If less than fee interest is taken, the proceeds shall be equitably allocated according to the nature of the interest taken. The Grantee shall use its share of any proceeds received pursuant to this Section V in a manner consistent with the conservation purposes of this Conservation Restriction.

VI. ASSIGNABILITY; BINDING EFFECT; INTERPRETATION

A. Running of the Burden. The burdens of this Conservation Restriction shall be deemed to run with the Premises in perpetuity, shall be enforceable in perpetuity against the Grantor, the Grantor's successors in title to the Premises, and any person holding any interest therein, by the Grantee, its successors and assigns acting by and through its duly designated officers, directors, employees or agents as holders of this Restriction.

B. Execution of Instruments. The Grantee is authorized to record or file any notices or instruments appropriate to assuring the perpetual enforceability of this Conservation Restriction; and the Grantor on behalf of themselves and their successors and assigns appoint the Grantee their attorney-in-fact to execute, acknowledge and deliver any such instruments on their behalf. Without limiting the foregoing, the Grantor and their successors and assigns agree themselves to execute any such instrument upon request.

C. Assignability; Running of the Benefit. The benefits of this Conservation Restriction shall run to the Grantee, shall be deemed to be in gross and shall not be assignable by the Grantee, except the Grantee and its successors and assigns shall have the right to assign all or a portion of its right, title and interest hereunder to a "Qualified Organization" as defined in Section 170(h)(3) of the Internal Revenue Code provided that such assignee shall also be an eligible grantee of a conservation restriction as set forth in Chapter 184, Section 32 of the General Laws of Massachusetts, and provided further that, as a condition of such assignment, the assignee is required to hold this Conservation Restriction and enforce its terms for conservation purposes and ensure that the purposes of this Conservation Restriction continue to be carried out. Any assignment will comply with Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable.

D. Termination of Rights and Obligations. The rights and obligations under this Conservation Restriction of any party holding any interest in the Premises shall terminate upon transfer of that party's interest in the Premises, except that liability for acts or omissions occurring prior to any transfer and liability for any transfer in violation of this Conservation Restriction shall survive the transfer. Any new owner may be held responsible for pre-existing violations.

E. Prior Encumbrances. This Conservation Restriction shall be in addition to and not in substitution of any other restrictions or easements of record affecting the Premises.

F. Pre-Existing Rights of the Public. The approval of this Conservation Restriction pursuant to M.G.L. Chapter 184, Section 32 by any municipal officials and by the Secretary of Energy and Environmental Affairs is not to be construed as representing the existence or nonexistence of any pre-existing rights of the public, if any, in and to the Premises. Any pre-existing rights of the public, if any, are not affected by the granting of this Conservation Restriction.

VII. SUBSEQUENT TRANSFERS

A. Reference to Conservation Restriction in Future Deeds. The Grantor agrees to incorporate the terms of this Conservation Restriction by reference in any deed or other legal instrument by which divests Grantor of any interest in all or a portion of the Premises, including without limitation, any leasehold interest or option. Failure to do so shall not impair this Conservation Restriction or its enforceability in any manner.

B. Representations of the Grantee. The Grantee represents that it is a not for profit corporation, that it has a perpetual existence, that it is organized and operated for the purpose of preserving and conserving natural resources, natural habitats, environmentally sensitive areas and for other charitable, scientific and educational purposes, that it has both the necessary funds and commitment to hold this Conservation Restriction exclusively for conservation purposes in perpetuity and to enforce its terms, that it is a “Qualified Organization” as that term is defined in Section 170(h)(3) of the Internal Revenue Code of 1986, as amended, and that it is an eligible donee of a conservation restriction as set forth in Chapter 184, Section 32 of the General Laws of Massachusetts, as amended.

C. Required Notifications of Transfers. The Grantor shall notify the Grantee in writing at least thirty (30) days before conveying the Premises, or any part thereof or interest therein (including a leasehold interest or option). The Grantee shall notify the Grantor in writing at least thirty (30) days before it assigns this Conservation Restriction. Any failure by the Grantor or the Grantee to provide notification as provided for herein shall not invalidate or extinguish this Conservation Restriction or limit its enforceability in any way.

VIII. ESTOPPEL CERTIFICATES

Upon receipt of a written request by the Grantor, the Grantee shall within thirty (30) days thereafter, execute and deliver to the Grantor, or any person designated by Grantor, any document, including an estoppel certificate, that certifies, to the best of Grantee’s knowledge, Grantor’s compliance with any obligation Grantor contained in this Restriction, and which otherwise evidences the status of this Restriction. Such certification shall be limited to the condition of the Premises as of Grantee’s most recent inspection.

IX. NON-MERGER

The parties intend that any future acquisition of the Premises by the Grantee shall not result in a merger of the Conservation Restriction into the fee. The Grantor agrees that it will not grant, and the Grantee agrees that it will not take title, to any part of the Premises without the

Grantee first having assigned this Conservation Restriction to an alternate Qualified Organization to ensure that merger does not occur and that this Restriction continues to be enforceable by a non-fee owner.

X. AMENDMENT

If circumstances arise under which an amendment to or modification of this Conservation Restriction would be appropriate, Grantor and Grantee may jointly amend this Conservation Restriction; provided that no amendment shall be allowed that will affect the qualification of this Conservation Restriction or the status of Grantee under any applicable laws, including Section 170(h) of the Internal Revenue Code of 1986, as amended, or Sections 31-33 of Chapter 184 of the General laws of Massachusetts. Any amendments to this Conservation Restriction shall only occur in exceptional circumstances. The Grantee will consider amendments only to correct and error or oversight, to clarify an ambiguity, or where there is a net gain in conservation value. All expenses of all parties in considering and/or implementing an amendment shall be borne by the persons or entity seeking the amendment. Any amendment shall be consistent with the purposes of this Conservation Restriction, shall not affect its perpetual duration, shall be approved by the Secretary of Energy and Environmental Affairs and if applicable, shall comply with the provisions of Art. 97 of the Amendments to the Massachusetts Constitution, and any gifts, grants or funding requirements. Any amendment shall be recorded in the Essex County Registry of Deeds.

XI. EFFECTIVE DATE

This Conservation Restriction shall be effective when the Grantor and the Grantee have executed it, the administrative Approvals required by Section 32 of Chapter 184 of the General Laws have been obtained, and it has been recorded in a timely manner in the appropriate Essex Registry of Deeds.

XII. NOTICES

Any notice, demand, request, consent, approval, or other communication that either party desires or is required to give pursuant to this Conservation Restriction is deemed delivered upon receipt and shall be in writing and either served personally or sent by first class mail, postage prepaid, return receipt requested, certified mail, return receipt requested, or delivered by a nationally recognized overnight delivery service such as Federal Express or United Parcel Service, and addressed as follows or to such other address as any of the below parties shall designate from time to time by written notice to the other or that is reasonably ascertainable by the parties:

If to Grantor:

To the name and address of the then-current owner(s) of record as shown on the Town of Ipswich Assessor's card for the property(ies) of which the Premises are a part, or those owners of record on file with the Grantee, whichever is more current.

If to Grantee:

Essex County Greenbelt Association, Inc.
ATTN: Director of Stewardship
82 Eastern Ave.
Essex, MA 01929
Phone: 978-768-7241

XIII. GENERAL PROVISIONS

A. Controlling Law. The interpretation of this Conservation Restriction shall be governed by the laws of the Commonwealth of Massachusetts.

B. Liberal Construction; Severability. Any general rule of construction to the contrary notwithstanding, this Conservation Restriction shall be liberally construed in favor of the grant to effect its conservation purposes and the policies and purposes of M.G.L. Chapter 184, Sections 31-33. If any provision of this instrument is found to be ambiguous, an interpretation consistent with the purposes of this Conservation Restriction that would render it valid shall be adopted over any interpretation that would render it invalid. If any provision or condition of this Conservation Restriction or the application thereof to any person or circumstance shall be declared invalid, the remainder of the provisions of this Conservation Restriction shall not be affected thereby.

C. Entire Agreement. This instrument sets forth the entire agreement of the parties regarding this Conservation Restriction and supersedes all prior discussions, negotiations, understandings or agreements relating to this Conservation Restriction, all of which are merged herein.

XIV. AFFIRMATIVE COVENANTS OF THE GRANTOR

A. Payment of Taxes. The Grantor shall pay before delinquency all taxes, assessments, betterments, liens, fees and charges levied on or assessed against the Premises by any federal, state, or local government authority or other competent authority or entity (collectively "taxes"), and shall furnish the Grantee with satisfactory evidence of payment upon request.

B. Subordination of Mortgage. The Grantor shall deliver to Grantee for recording simultaneously with this Conservation Restriction all documents necessary to subordinate any mortgage, promissory note, loan, equity credit line, refinance, assignment of mortgage, lease, financing statement or any other agreement which gives rise to a security interest affecting the Premises.

C. Adverse Possession. The Grantor represents and warrants that to the best of his knowledge no person has occupied or used the Premises without the Grantor's permission or has openly claimed ownership of the Premises as against the Grantor or the Grantor's predecessors in

title or has conducted continuous activities or uses on the Premises (such as, but not limited to, logging, camping or similar uses). The Grantor agrees that if any such activity is observed now or in the future, the Grantor shall immediately notify the Grantee and shall cooperate with the Grantee to notify such persons of their wrongful entry onto the Premises.

XV. MISCELLANEOUS

A. Pre-existing Public Rights. Approval of this Conservation Restriction pursuant to M.G.L. Chapter 184, Section 32 by any municipal officials and by the Secretary of Energy and Environmental Affairs is not to be construed as representing the existence or non-existence of any pre-existing rights of the public, if any, in and to the Premises, and any such pre-existing rights of the public, if any, are not affected by the granting of this Conservation Restriction.

B. Homestead. The Grantor hereby subordinates and waives any M.G. L. c.188 Homestead rights and benefits Grantor may have to this Conservation Restriction, and Grantors swear under pains and penalties of perjury that there is no one else entitled to Homestead benefit that have not signed a subordination and waiver of any Homestead benefits they may have.

C. Included herewith and incorporated herein are the following:
Signatures:

Grantors: David A. Carpenter and Jessica Wrobel

Grantee: Essex County Greenbelt Association, Inc.

Approval of Selectmen of Town of Ipswich

Approval of Commonwealth of Mass. Executive Office of Energy &
Environmental Affairs

Exhibit A: Reduced copy of Plan of Land

Exhibit B: Reduced copy of Conservation Restriction Plan

IN WITNESS WHEREOF, the said DAVID H. CARPENTER and JESSICA WROBEL grant this Conservation Restriction to Essex County Greenbelt Association, Inc. and agree to be bound by its terms, have hereunto set their hands and seals this ____ day of _____, 2016.

David J. Carpenter

Jessica Wrobel

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this ____ day of _____, 2016, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which was ☐ my personal knowledge of the principals' identities ☐ a Massachusetts driver's license, to be the persons whose names are signed on the preceding document, and acknowledged to me that s/he signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

Essex County Greenbelt Association, Inc. hereby accepts this Conservation Restriction from David H. Carpenter and Jessica Wrobel and agrees to be bound by its terms.

Essex County Greenbelt Association, Inc.

By: _____

Name: Edward O. Becker

Title: President

Hereunto duly authorized

Essex County Greenbelt Association, Inc.

By: _____

Name:

Title:

Hereunto duly authorized

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this ____ day of _____, 2016, before me, the undersigned notary public, personally appeared EDWARD O. BECKER, proved to me through satisfactory evidence of identification, which was ☐ my personal knowledge of the principal's identity ☐ a Massachusetts driver's license, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it, as President, voluntarily for its stated purpose and as the free act and deed of Essex County Greenbelt Association, Inc., a Massachusetts not for profit corporation.

Notary Public

My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this ____ day of _____, 2016, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which was ☐ my personal knowledge of the principal's identity ☐ a Massachusetts driver's license, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it, as _____, voluntarily for its stated purpose and as the free act and deed of Essex County Greenbelt Association, Inc., a Massachusetts not for profit corporation.

Notary Public
My Commission Expires:

APPROVAL BY SELECTMEN

We, the undersigned Board of Selectmen of the Town of Ipswich, Massachusetts, hereby certify that at a public meeting duly held on _____, 2016 the Selectmen voted to approve the foregoing Conservation Restriction from David H. Carpenter and Jessica Wrobel to the Essex County Greenbelt Association, Inc. for the preservation of the natural resources of said Town and being in the public interest pursuant to Massachusetts General Laws Chapter 184, Section 32.

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this ____ day of _____, 2016, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which was ☐ my personal knowledge of the principal's identity ☐ a Massachusetts driver's license, to be the person whose name is signed on the preceding document, and acknowledged to me that s/he signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

APPROVAL BY SECRETARY

The undersigned Secretary of the Executive Office of Energy and Environmental Affairs of the Commonwealth of Massachusetts hereby certifies that the foregoing Conservation Restriction from David H. Carpenter and Jessica Wrobel to the Essex County Greenbelt Association, Inc. has been approved in the public interest pursuant to Massachusetts General Laws Chapter 184, Section 32.

Date: _____

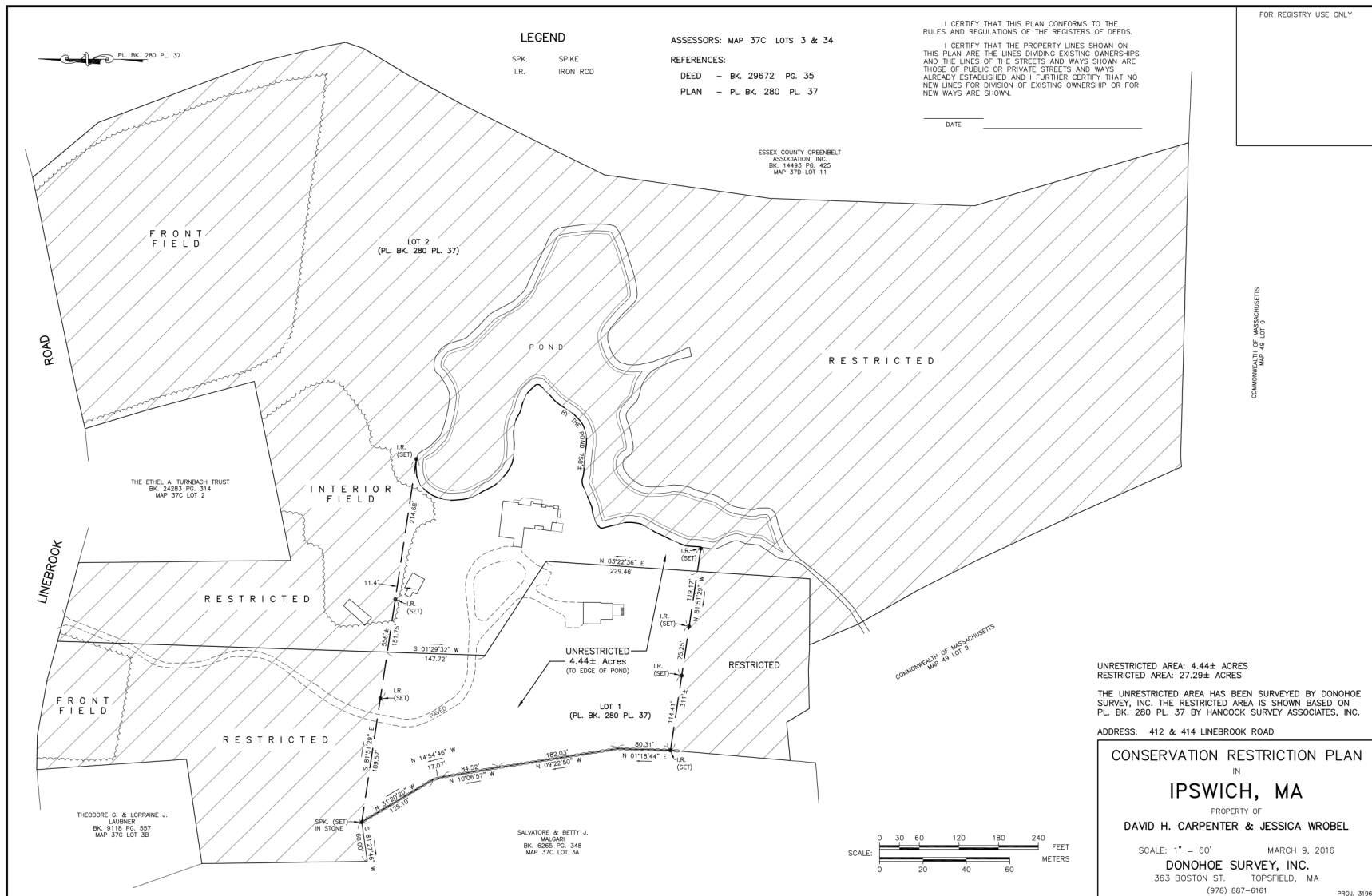
Matthew A. Beaton
Secretary of Energy and Environmental Affairs

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On this ____ day of _____, 2016, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which was ☐ my personal knowledge of the principal's identity ☐ a Massachusetts driver's license, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:



Carpenter Amended and Restated Conservation Restriction, 27.3 acres Ortho Map



0 125 250 500 Feet

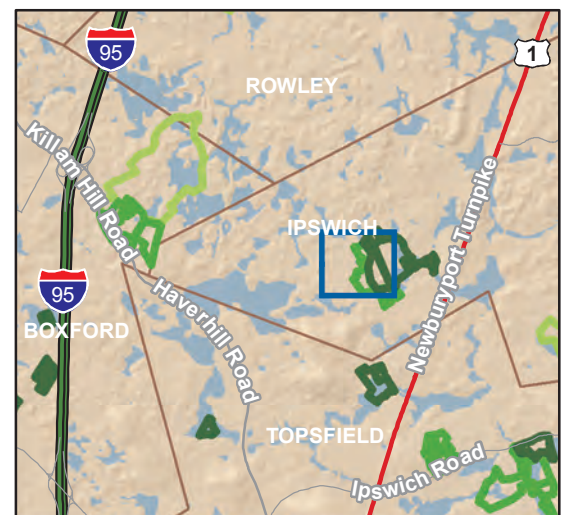
- Carpenter Amended and Restated CR 2016
- Greenbelt Conservation Restrictions
- Greenbelt Properties



Map Produced 04/12/2016 By:

Hannah Wilbur
Essex County Greenbelt Association

Source data obtained from survey plans & Mass GIS. Boundary lines are approximate and should be used for informational purposes only. Boundaries based on Conservation Restriction Plan in Ipswich, MA, Property of David H Carpenter & Jessica Wrobel, 03/09/2016, Scale 1"= 60'.





Ipswich Conservation Office

MEMORANDUM

April 22, 2016

To: Board of Selectmen

From: Alicia Geilen, Agent

RE: Acceptance of Amendment to Conservation Restriction – 412-414 Linebrook Rd (Map 44, lot 10)

At their April 20, 2016 meeting, the Ipswich Conservation Commission voted unanimously in favor of the proposed amendments to the 1997 Conservation Restriction (CR) for the above property, by adding 10.14 acres +/- to said original Conservation Restriction, and recommended approval of the Board of Selectmen for same. Currently 17.15 acres of this 27.29 acre property, owned by David Carpenter and Jessica Wrobel, is protected by a CR held by Essex County Greenbelt Association (ECGA). The property is located adjacent to other protected land, including Willowdale State Forest, the Elizabeth Howe Reservation, and the new Echo Reservation, thereby expanding an important protected wildlife corridor. Substantial public benefits from the permanent protection of this land includes: protection of scenic and natural character of Ipswich, protection of wildlife habitat, preservation of a Scenic Byway, and protection of 4 acres of Core Habitat for Species of Concern, to name a few.

Prohibited uses of the property are listed on pages 3 and 4 of the CR (attached); reserved rights are listed on pages 4 through 10. All monitoring of the CR to ensure compliance will be performed by ECBA. Per M.G.L. 18 Section 32, the Board of Selectmen must vote to approve the acceptance of the amended CR, and sign page 21, before the document may be finalized.

Vanessa Johnson-Hall of Essex County Greenbelt Association will attend the next Selectmen's meeting to answer any questions.

Attachment: Amended Conservation Restriction for 412-414 Linebrook Road, Ipswich, MA

BEAN COUNTING MEETING

**FINANCE COMMITTEE, BOARD OF SELECTMEN, SCHOOL COMMITTEE
IPSWICH TOWN HALL, ROOM A
25 Green Street**

SATURDAY, April 9, 2016, 9:00 AM

Pursuant to the Open Meeting Law, M.G.L. Chapter 30 A, §§ 18-25, written notice posted by the Town Clerk delivered to all Boards/ Committee members, a meeting of the Finance Committee, Board of Selectmen, and School Committee was held on April 9, 2016 at 9 AM in the Selectmen Chambers.

The meeting was called to order at 9:15 AM.

- Finance Committee Present: Mitch Feldman, Chair; Jamie Fay; Walter Hartford; Richard Howard; Ingrid Miles (left 12:40 PM); Kevin Murphy; Michael Schaaf; Janice Skelton (left 12:35 PM); Robert White
- Board of Selectmen Present: Nishan Mootafian, Chair; Judy Field, Edward Rauscher, Charlie Surpitski
Not Present: William Craft
- School Committee Present: Carl Nylen, Chair; Jennifer Bauman; Barry Hopping, Hugh O'Flynn; Feruza Krason; Sara Player; Charles Whitten (left 11:30 AM); Superintendent Dr. William Hart
- Also Present: Robin Crosbie, Town Manager (left 12:50 PM); Tom Murphy, Town Moderator (left 11:25 AM); Stephanie Frontiera, Town Accountant (left 11:45 AM); Catherine Tinsley, Recording Secretary

Public Information:

Recorded with permission by ICAM

2016 Warrant for the Annual Town Meeting (ATM)

Fiscal Year (FY) 2017 Budgets

Citizen Queries - There were none.

Update Revenue Projections

Ms. Crosbie stated the estimated revenue projections are being maintained until the Fiscal Year is closed out. The Town will not have the state aid numbers until the fall. The Essex Vocational School assessment is also not available until the fall.

Ms. Crosbie reported the Whittier Assessment was \$193,310 less than budgeted for FY17, and although this would be further discussed during the budget, the BOS amended their budget accordingly and voted \$100,000 be used for Fire Department personnel with the remaining balance of \$93,310 for school needs.

Review of Annual Town Meeting Warrant

The Finance Committee will assign speakers for the Town Meeting at their April 12, 2016 meeting.

Mr. Mootafian reviewed the Town Warrant Articles. Those articles discussed in detail are as follows:

ARTICLE 2 – Finance Committee Election Requested By Board of Selectmen: To see if the Town will vote to appoint one [1] member of the Finance Committee for three [3] years, or to take any action relative thereto.

Walter Hartford was introduced as the interim appointment for Marion Swan. Mr. Feldman gave a brief overview of Mr. Hartford's financial experience that made him a good candidate for the Finance Committee. Mr. Hartford spoke to his interest in serving on the Committee and about his financial knowledge.

Article 11 – Annual Capital Plan: The motion is being amended for the Capital Plan allocations as adopted by the BOS: \$892,801 from Free Cash, \$61,079 from Capital Stabilization, and \$87,000 from the Water Ways Account.

DRAFT

There was a discussion that remaining funds may be available for school capital or the Education Stabilization Fund; this can be further discussed for the fall town meeting.

Some capital request related to security for the schools were accelerated and included in the FY17 budget.

The BOS agreed that citizen's petition articles be staggered through the Warrant. Article 12 is the first citizen's petition.

ARTICLE 13 – Creation of an Artificial Turf Field Stabilization Fund: Requested By Town Manager

To see if the Town will vote to establish an Artificial Turf Stabilization Fund pursuant to Chapter 40, Section 5B of the Massachusetts General Laws for the purpose of funding repairs and refurbishment of the School Department Artificial Turf Field, or take any action relative thereto.

Ms. Crosbie gave an overview of the proposed Stabilization Fund for the turf field. She explained usage fees will go towards staffing the field during events, operational costs, funding the Turf Stabilization Fund (up to \$30,000), future capital, with any remaining funds to be used towards paying off the debt.

The FinCom noted the motion only establishes a Stabilization Fund without including the distributions.

Ms. Crosbie indicated additional financial details would be included in the summary; the policy for the Stabilization Fund is with the School Committee. There is a Memorandum of Understanding (MOU) between the Town and the School.

It was noted a turf fields has an average life of 10-12 years. Although the primary purpose of the fund is for maintenance, it is anticipated the future capital fund would be used to reduce field replacement costs in 10-13 years; estimated replacement cost of the field is \$400,000.00.

It was agreed to amend the motion to include the additional wording “and pursuant to the MOU dated (10-30-15).”

Mr. Murphy questioned adding a new subject matter (pursuant to the MOU) may not be allowed and said he would get back to the Town Manager regarding his concern.

The School will submit itemized costs related to the turf field.

Article 14 – Obstruction of Sidewalks by Brush, Debris, Landscaping – Amend Bylaw

There was a general discussion about the importance of keeping (private) landscaping off sidewalks to allow for the safe passage for pedestrians followed. It was noted that funds were added to the budget for sidewalk repair/reconstruction. It is the intention of the Town Manager to leave this funding in future budgets to continue sidewalk repair around town.

Mr. Howard asked that right of ways be included; this will be considered for a future warrant.

Article 15 - *Citizen Petition*: To amend the General By-Laws of the Town of Ipswich Chapter II section 1 (a)–to hold ATM second Tuesday of May to be held the second Saturday of May.

A discussion followed that referenced the Government Study Committee (circa 2003) that was thought to have addressed this issue. It was suggested to review this information and the minutes from those meeting on this subject.

It was noted that there may be a financial impact in moving Town Meeting to a Saturday, such as the possible loss of funds from the inability of using the arts center the night before due to set up.

Article 12 – *Citizens Petition*: Restrictions on plastic bags and expanded polystyrene containers.

There was a general conversation regarding this article.

Article 17- To see if the Town will accept the provisions of Chapter 44, section 53F1/2 of the Massachusetts General Laws establishing a sanitation, solid waste and recycling as an enterprise fund effective July 1, 2017 or take any action relative thereto. Summary: Revenues from solid waste and recycling programs that currently go into the general fund would be retained in this fund to support these operations and offset costs to the general fund.

A lengthy discussion followed. Ms. Crosbie explained the purpose of the proposed article was for the funds to stay with recycling / refuse programs to reduce impact to the general fund, especially if there is an increase in fees. In addition, it would separate fines collected to repay the services specific to solid waste and recycling. Because this is an expense only to the town, this revenue should not be included in revenues shared with the schools; an Enterprise Fund would simplify the budget process.

Mr. Fay opined that this is a net zero change, does not create new revenue, and limits the control of the Town.

The Finance Committee requested data specific to supporting this article.

Article 19 - OPEB (Other Post Employment Benefits): To see if the Town will vote to transfer from Free Cash the sum of \$150,000 to the special Other Post-Employment Benefits account (OPEB) as established under M.G.L., Chapter 32B, Section 20, or to take any other action relative thereto. Summary: The Town is setting aside funds toward payment of future insurance benefits for retirees of approximately \$2.69 million. By contributing regularly to the OPEB account, the

Town reduces its future liabilities. The overall liability as a percent of payroll decreased from 147% as of July 1, 2013 to 119.4% as of July 1, 2015

The Finance Committee had not yet discussed funding OPEB but agreed collectively to consider the contribution be increased. Ms. Crosbie suggested increasing the Stabilization Fund instead, noting it could still be used to fund OPEB, but could be used for other expenses if needed, citing a 10.7 % increase in health insurance costs.

ARTICLE 20 – *Citizens Petition: Discharge of Firearms: To Amend Chapter XV: Miscellaneous Provisions for Public Order and Safety; Section 2: Discharge of Firearms.* Summary: The proposed Amendment of Chapter XV will not take your guns away. Nor will it stop you from using your firearm to defend your family or property from harm. It will not limit your ability to hunt as long as you comply with current State regulations. It will not stop you from target practice at the Ipswich Gun & Rod Club. What it will do is limit the establishment of back yard shooting ranges in heavily populated areas where the discharge of a firearm is a public safety concern. As Ipswich expands its open space and strives to become a family friendly town limiting the discharge of firearms in an uncontrolled setting is paramount. A stray bullet can travel over a mile. Someone shooting at cans in one part of town could cause property damage or injury to persons, pets or livestock across town. You could be sitting in your back yard and be struck from a stray bullet shot over a mile away. Stray bullets contain lead, which could leach into well water, streams and the rivers that crisscross our town. This could affect your drinking water and potentially cause the closure of the clam beds. We are fortunate to have an established shooting club in our town where individuals can learn the proper handling of a firearm in a controlled setting. A yes vote would help update this article which was originally written in 1937 and last amended in 1973 to reflect our current population and their needs. I would appreciate your support in this matter.

Ms. Crosbie summarized the current bylaw does not prohibit backyard (target) shooting. This article addresses a concern that “backyard” shooting ranges are unsupervised and pose a danger.

Tom Murphy noted the citizen plans on amending the motion to add under section 2: Discharge of fire Arms two additional exceptions (7 and 8) to include state statutes; Moderator will rewrite the motion.

It was requested the Police Chief to attend the hearing to explain the current situation/bylaw.

Article 21 - *Citizen's Petition* - To see if the Town of Ipswich will vote to approve the following resolution relating to the climate crisis and the viability of Essex County Retirement System. Summary: This article lists findings regarding the investment of the Town's pension funds and the implementations of the Town's Climate Action Plan. The article requests resolutions regarding studying the investments of pension funds, and the implementation of the Plan. It proposes a resolution to create a Climate Change Committee to undertake the review of the investments of the Town's pension funds in fossil fuels to determine if the funds are losing value and to make recommendations for changes in vestment based on that review, and to review the status of recommendations of the Climate Action Plan and to recommend implementation goals for all of the Plan's recommendations.

The proposal is for a one-year ad hoc Committee to be formed made up of nine members including four at-large members, to give a report that would be included in the Finance Committee report.

Mr. Murphy stated the citizen plans to amend the motion on Town Meeting Floor to incorporate some of the BOS concerns. The amended motion would be provided, as required, a minimum of three business days before the ATM.

ARTICLE 23 – Amend Animal Control Bylaws: To see if the Town will vote to amend the General Bylaws of the Town of Ipswich, as amended under Articles 19 and 20 of this Town Meeting, as follows: of following Section under;

Summary: The purpose of the above recommendations is to help defer the cost of “on call” personnel who are needed to respond to animal calls for service after operational hours. Additionally, the changes in impounding fees help defer some of the cost in housing stray animals at the Shelter. The final changes in violation fines create consistency within the Animal Control bylaws, allowing improvement of enforcement and compliance, while allowing the Animal Control Officer some measure of discretion for first time offenders who are blatantly disregarding this by-law. This Animal Control by-law (dog fouling & leash requirement) have been in place for many years and no longer needs an “educational period.”

Mr. Surpitski referenced on a recent study presented to the Shellfish Committee on the dangers of pollution. One major cause is fecal matter. If not corrected there is a potential for the river to be closed due to pollution.

Ms. Crosbie observed there are dog waste containers around Town. She suggested expanding this program, noting these are picked up at no cost with the trash. Ms. Crosbie stated she also supports increasing enforcement / fines.

ARTICLE 24 – Infrastructure Improvements to Brown Square/Soffron Lane: To see if the Town will vote to transfer, from free cash to the Department of Public Works, the sum of \$83,550, to undertake certain infrastructure improvements at Soffron Lane, Brewery Place, and Brown Square, including the installation of a sidewalk and street reclamation and repaving within the right-of-way of the northeasterly leg of Brown Square, and the installation of a top course of pavement within the right-of-way of Brewery Place and Soffron Lane; or to take any other action relative thereto.

DRAFT

Ms. Crosbie summarized the 2008 vote at the Special Town Meeting that authorized the Selectmen to enter into a Tax Increment Financing Agreement with Mercury Brewing to provided six years of local tax relief from the additional tax burden generated by a \$1.5 million capital investment in the property, was not upheld. This transfer will allow the Town to complete the original project. This area is part of the economical development strategy of linking areas to downtown for easy pedestrian access.

Mr. Fay noted this was a deal created 10 years ago. Because of various unforeseen reasons, the improvement were not done as anticipated, but the business does generate new tax revenue and jobs. It was noted the Brewery did not receive tax relief from the Town. It was agreed this area is in need of improvement.

ARTICLE 25 – Access Easement for 12 Hillside Road: To see if the Town will vote to authorize the Board of Selectmen to grant an access easement to the owner of 12 Hillside Road over Town-owned property between said property and Cape View Road, on such terms and conditions as the Board deems to be in the best interests of the Town, or take any action relative thereto. Summary: Approval of this article will provide the owner a recorded right of access to owner's property from the road to the owner's property. This has been the historic access to this property and has been used by the owner/owners since the 1950s.

Ms. Crosbie confirmed there is no fee or land swapping associated with this transaction. There is an historic access to a private property over Town owned land. This property is being readied for sale and this action will “tidy-up” the deed. It was suggested this easement would increase the value of this property and questioned why the Town was not being compensated.

The FinCom requested a map and survey of this property be provided at Town Meeting and the easement be specifically referenced in the motion.

The DPW has opined this land has value to the Town and recommends the property not be released and the Town retains ownership.

ARTICLE 26 – *Citizens Petition*: Electronic Voting System Requested By: Philip J. Goguen - Present

To direct the Board of Selectmen and the Town Moderator to accept from Options Technologies Interactive their offer of a no cost turn key demonstration of electronic voting system, such demonstration to be in conjunction with the next special town meeting

Mr. Goguen requested the moderator to change the word “direct” to “authorize” the Board of Selectmen.

Tom Murphy left the meeting.

REVIEW OF TOWN OPERATING BUDGET

Town Budget - Ms. Crosby talked about the primary change in the Town Operating budget to use \$100,000 to add a supporting management position at the Fire Department of Assistant Chief. She explained that the Whittier Assessment was \$193,310 less than budgeted for FY17 due to a reduction in students attending, and that this money be used to fund the Assistant Fire Chief position in FY17 and that this expense would be absorbed in future budgets.

The FinCom noted their concern that this is a “one time funding source” which would become a permanent part of the Town's future base budget. Ms. Crosbie noted that this position has been carefully considered for quite some time. She referred to other similar departments in Town that have this ‘non-union assistant management position’ and talked about how it increases efficiency in the departments. She went on to give a summary of the expectations of this non-union position as having the ability to assist with payroll, oversee operations, provide management present during more shifts, and respond to calls as needed. Although there is no plan to reduce staff, there may be some reorganization in the future. This is the only amendment to the budget.

Mr. Surpitski spoke to the supporting position citing various practical reasons; having served as Police Chief he has a clear understanding of public safety facilities/ departments.

The \$100,000 increase is all inclusive of salary and benefit costs. The FinCom requested data to support this request.

The FinCom asked for the Fire Chief to be present at the Warrant Hearing.

Charles Whitten left the meeting.

The Town Manager reported she put together an Economical Advisory group to look at development issues.

Committee member Selectman Rauscher noted a marketing plan is one of the first recommendations. He noted that quarterly meetings with various department, and groups would be beneficial.

Ms. Crosbie observed that some things are beyond the scope of the Committee. One of the biggest issues for businesses in town is the lack of web support. She was asked if the Committee had funding and responded there is some funding available but it depended on what is expected of the Committee and what is considered economical development.

DRAFT

Discussion followed that available real estate and parking are important issues as well as working with the bigger companies in Town.

Stephanie Frontiera left the meeting

REVIEW OF SCHOOL OPERATING BUDGET

The School Committee stated that there were no changes in the School Budget since the presentation last month.

Mr. Fay questioned why there was an outside article (Article 11) for capital that included \$35,000 for painting, which he considered maintenance.

Dr. Hart responded that he and the Town Manager disagree if painting is maintenance or capital. Dr. Hart explained this painting project is considered a major project for the school; smaller painting projects are in the maintenance budget. The objective is to “right size” the maintenance budget year to year and by removing the large and backlogged projects and funding them separately, the maintenance budget would be actual and maintainable. He went on to say if the \$35,000 (painting) and the \$73,000 (backlogged projects) were included in the maintenance budget, it would falsely inflate the budget going forward. It was noted the maintenance budget was increased by 9% partially to support additional, unforeseeable work for the aging high school.

The FinCom requested a memo explaining why this is a one time funding, and further explaining the plan with supporting data.

The plan to use Whittier savings as a one time funding source for maintenance was discussed in detail. The FinCom reiterated this is not a permanent increase in the school budget but a one time funding source to be appropriated to address the backlog of maintenance.

The Town Manager will confirm with the Moderator to amend Article 7 to properly reflect the adjusted budget “to raise and appropriate the sum of \$74,000” as one time funding.

The Board of Selectmen stepped out into the hall for a side discussion regarding the proposed budget changes using the \$193,310 (Whittier) funds.

They discussed the proposed Fire Chief Assistant position they support funding with \$100,000 of the \$193,310 and that the balance of \$93,310 be added to the school’s commitment toward maintenance and the option to include either or both of these in the base budgets.

MOTION: Mr. Rauscher moved, and it was seconded, to recommend the Selectmen’s base budget increase and the two new base budgets are as follows and it be done on an annual basis. The base budgets for FY17:

Town Budget - \$23,113,619 (included the \$100,000)

School Budget - \$30,379,867 plus \$93,310 equals a total budget of \$30,473,177

VOTE: The motion carried unanimously.

Janice Skelton left the meeting

The BOS returned to the meeting and stated they unanimously recommend to the meeting the apportionment of the Whittier funds follow the traditional split (65/35) and the Town’s operating base budget increase by \$100,000 and the School’s Capital base budget increase by \$74,000.

A lengthy discussion resulted in this proposal during which it was noted this is really an issue for next year’s budget. In review, of the \$93,310 - \$74,000 will go to the school capital improvements with the remaining balance of \$19,310 to be transferred to the stabilization fund via the special fall town meeting.

Mr. Howard moved, to express the sentiment of the Finance Committee to support the municipal budget increasing \$100,000 subject to approving the plan of the proposed Fire Position. Under discussion: It was suggested this motion be held pending the decision at the Warrant Hearing. The vote to support the budget was unanimously deferred to the Warrant Hearing.

It was suggested in the future, the review of the Warrant be done outside of the Bean Counting meeting in an effort to reduce the length of the Bean Counting meeting.

Ingrid Miles left the meeting

Ipswich Elementary School Building Project

The School Committee noted when they met with the Board/Committee there was some information that was not available and questioned if a review of the process would be helpful.

DRAFT

Mr. Fay interjected that he spoke to the School Committee Thursday night before they voted suggesting they defer their position on the school building project until they vetted this more broadly in the community, particularly with the BOS and FinCom who has not had the time to look closely at the project details, at the numbers, options, or implications for the community as a whole. But the School Committee went ahead and voted. He encouraged them to retract their vote to present, set up meetings, and schedule working sessions to go forward as a Town with confidence, instead of moving forward with the project that is not yet supported, stating a collaborative discussion did not happen.

Mr. Nylen responded the School Committee is amendable to suggestions to achieve a consensus, and that he was uncertain where the flexibility in the process was to achieve the consensus support being referenced. He acknowledged it was an imperfect process but questioned after two years of planning, how the Finance Committee and BOS were not updated as they both had representation on the School Building Committee that were providing updates. He reiterated there was no intent to go around the Boards/Committees and he thought the process was thorough.

The BOS/FinCom acknowledged they received general updates from the representative but the tri board meeting that was scheduled to include detailed updates was changed and never rescheduled.

It as questioned if the meeting with the Architect and School Building Authority on Wednesday, could be a tri-board meeting to provide opportunity to bring the Boards up to speed on the decision-making.

Decisions for the preferred design option and the site is scheduled for a vote at the end of the month.

Mr. Nylen offered to schedule as many meetings as it takes for the FinCom and BOS to be comfortable with the location, configuration, building size, etc. The School Committee welcomed input to assist the in understanding other implications in the community. The final decision must be made in June.

It was noted the educational configuration was voted k-5 and 5-7 with two smaller schools on same site.

The final vote lies with the School Committee but with the recommendation of the architect, SBA and input from FinCom/BOS.

The School Committee was encouraged to gauge the entire community and not just parents of school children noting this affects taxes, bonding, town land, and municipal buildings.

Discussion continued along the same line to rescind the vote and how information would best be provided, and the meeting schedule going forward.

It was the consensus of the meeting that the April 13, 2016 meeting be a tri-board meeting with a presentation from SBA regarding cost estimates and a discussion of the three potential sites.

The FinCom has a meeting on April 21 and will use this as a follow up meeting.

The vote on the site selection is on the April 28 meeting agenda.

All information related to the school building project is posted on the town's web site under School Building Committee.

Adjournment

The Finance Committee, School Committee, and BOS unanimously adjourned at 1:41 PM

Respectfully submitted by

Catherine Tinsley
4.22.16

TOWN OF IPSWICH
MASSACHUSETTS

BOARD OF SELECTMEN
Meeting of Tuesday, April 19, 2016
Ipswich Town Hall, 25 Green Street

Pursuant to the Open Meeting Law, M.G.L. Chapter 30A, §§ 18-25, written notice posted by the Town Clerk and delivered to all Board members, a meeting of the Board of Selectmen (BOS) was held on TUESDAY, APRIL 19, 2016 at 7 PM in Selectmen's Meeting Room A.

With a quorum present, Chairman Mootafian called the meeting to order at 7:15 PM

Selectmen present: Nishan Mootafian,

Judy Field, Charles Surpitski and Edward Rauscher.

William Craft was absent.

Also present: Robin Crosbie, Town Manager

The open meeting was recorded, with permission, by Ipswich Access Community Media.

ANNOUNCEMENTS:

Water Department: Will undertake hydrant flushing beginning Monday April 25th at 12AM. Customers can expect to have dirty water during the program. This will run April 25th-May13th.

CITIZENS QUERIES:

Gary Champion 3 Palamino Way: It took persistence for town government to acknowledge state conflict of interest laws for the Waterways Advisory Committee. Mr. Champion discussed how citizen persistence and research were brought to town Board and management to implement changes. Ms. Crosbie asked the Board of selectman to review the opinion of council and that the Government Study committee has been asked to look into the boards to see if they are following the charter. Mr. Champion has done a great deal of research on all of this, and he will attend the government study committee. He feels this should be in our bylaws and established. Mr. Champion handed out his questions in paper form that he would like the Board to think about and provide answers on.

Jodi Soffron, 114 Essex Rd: She has state and federal permits for Wolf Hollow because she has 5 personal dogs which means she has to get a kennel license. On several occasions last year, they came to town hall to renew the kennel license, but there was no building inspector and no animal control officer to sign off on the license. When the new animal control officer was hired she contacted her and came over to see the premises. They came to renew the license in January but could not renew because of the fees, she owes \$240 in late fees for 2015. She feels that since they made 7 attempts and these employees were not hired last year that it was not fair to pay fees for last year when it couldn't be done last year. Mr. Rauscher asked that we take the information and have the manager look at but if the town had the inability to properly execute these inspections then we should waive the late fee from 2015.

VOTE: Mr. Rauscher moved to waive the 2015 late fees unless something is found that was a violate, Mr. Supritski seconded. The motion passed unanimously.

AMENDMENT: Any late fees be put on hold from this point in time until this is finalized.

Reconsideration Liquor Licenses Change of Manager & Management/Operating Agreement: Alan DeNapoli, appeared before the Board to discuss the seasonal liquor licenses for the trustees of reservation. They made all the changes that were required to do for this change in management. The paperwork has all been submitted appropriately. Mr. Rauscher asked with regard to the Board of Directors information, but

in one case the place of employment is redacted and this is only in one place. He was wondering why this was submitted this way. This was discussed at length.

VOTE: Mr. Surpitski moved to approve the seasonal liquor license for the trustees of the reservation, Mr. Rauscher seconded. The motion passed unanimously.

Mr. Surpitski asked if these applications were a public record, Ms. Crosbie believed they were not. Mr. Surpitski said if this is not a public record and be destroyed after that they find out from the ABBC if they should have this as part of our application. Ms. Crosbie explained that all the application forms and records of any alcoholic beverage license are permanent records and must be saved. Mr. Rauscher wanted to know which parts were public records and which parts were not, this would be confirmed.

PUBLIC HEARING – Alteration of Premise to Liquor License & Pledge of License for Mercury Brewing and Distribution Company, Inc.

Mr. Mootafian read the legal notice. Rob Martin, President of Mercury Brewing Inc. appeared before the Board. Changes have been made per requests from Mr. Surpitski at the last meeting. This was discussed at length. Mr. Surpitski felt these changes were important, and thanked the applicant. Mr. Surpitski also felt that when we do serve alcohol in public places that it only be served to seated customers. Mr. Martin agreed. Mr. Rauscher asked if the granite posts themselves would serve as a blocker for a curb in case it jumps the curve. Mr. Martin felt the posts were more for stopping people from going into the road, rather than the cars leaving the road. Mr. Surpitski agreed, he did not feel it was the intent that the perception that it is allowed to be standing on the sidewalk with a drink. They should be enjoying the beverage with their meal. Ms. Field asked if we were all set with insurance, and it is confirmed this is all set. Mr. Surpitski wanted it in the license to state that they would not allow more people outside then they had seating for.

VOTE: Mr. Rauscher moved to approve the alteration of premise with the stipulation that the number of customers not exceed 34 seated customers in that area Mr. Surpitski seconded. The motion passed unanimously.

AMENDMENT: Mr. Rauscher added “and the pledge of license,” to this motion. Mr. Surpitski agreed.

VOTE: Mr. Surpitski moved to close the public hearing, Mr. Rauscher seconded. The motion passed unanimously.

Review and Approval of “Good in the Hood Event”

Mary Gormley and Carla Villa from Ipswich Ale Brewery appeared before the Board to discuss the Good in the Hood Event. Mr. Mootafian asked if anything would be different from last year’s event, it was confirmed that it was the same. The hours are from noon until 6. Mr. Surpitski was hesitant last year, but said it was very well received and congratulated the applicants. He suggested they get in touch with the chief about the changes that have been made to serving alcohol in public places.

VOTE: Mr. Surpitski moved to approve the Good in the Hood event, Ms. Field seconded. The motion passed unanimously.

Announcement of Property Acquisition by DCR:

Mr. Mootafian read the agreement. The Commonwealth of Massachusetts has under the consideration the acquisition of conservation restriction on approximately 170 acres of land, in the towns of Hamilton, Essex and Ipswich. The land is currently being used as open space and if acquired by the state it will be used as open space for passive recreation.

Board and Committee Appointments:

Seth Ward: Previously Appointed to Trust Fund Commission: Mr. Ward appeared before the Board, he is presently a Feoffees and was asked to contemplate becoming a member of the Trust Fund Commission. He felt this was appropriate to consider because there are good synergies between the organizations. He has a few years before he rolls of the Feoffees. He works with these kinds of matters all the time because he manages trust fund appropriations.

Joseph Traggert Requesting Reappointment New Feoffees: Mr. Traggert appeared before the Board. He explained they have done everything they need to do to map out the trust with the little neck condo associations and some legal ramifications from it. They have established professional advisors they use; they are rolling along well. He would like to continue because the next steps of growing the funds and that is a unique opportunity.

VOTE: Mr. Surpitski moved the appointment of a 3-year term for Mr. Traggert, Ms. Field seconded. The motion passed unanimously.

Kevin Martin Requesting a term Government Study Committee: Mr. Martin appeared before the Board, he is a new resident of Ipswich and interested in supporting the community.

VOTE: Mr. Rauscher moved to approve Kevin Martin as a full member Ms. Field seconded. The motion passed unanimously.

Sunny West Requesting Appointment for Ipswich Cultural Council. This is a new appointment and they are not here so they will wait to approve until she appears before the Board.

Sandy Purington Requesting Appointment to Bay Circuit Trail Committee: She was born and raised in town and rides around town a lot. She has decided it was time to give back and help maintain the trails.

Ratify Appointments of Waterways Advisory Committee: Ms. Crosbie explained that Town Council has weighed in on this, and they do feel that this is a town manager appointment because they appoint the harbor master. But policies outside the box would be made by the selectman. Mr. Mootafian asked that they have asked this to be researched by the Government Study Committee. Mr. Surpitski was troubled by Town Council's opinion. He feels it has a wider range of activities than regulations of harbors, it was appointed because of major changes to the warf. Over the years it has been a committee that has assured public access and quite honestly he feels that in some instances it is not a good idea to not have checks and balances especially on regulations. Mr. Surpitski felt that when the charter was created it was to address issues from the time, and it invested a lot of authority on the town manager that is unheard of in a lot of other places. He feels more items should be consulted with the Selectman. Ms. Crosbie doesn't know what else to rely on because she has asked town council and the government study committee.

There are things in the Charter that are not in other charters and vice versa. The town may want to call a charter commission to try to solve some of the issues from the charter. Ms. Crosbie feels town council that has offered an opinion and the charter is the foundation. Mr. Surpitski felt there were things on the charter that could be improved upon, he is troubled by that in 1966 they were going to make changes to the warf and to guide those decisions they appointed the waterways advisory committee. Today we are talking about making changes to the warf, and that committee should have suggestions that they should hear. Ms. Crosbie said that town council was saying we often work together and not against each other, and always goes back to the charter to be as straight forward as possible. Mr. Surpitski said that Ms. Crosbie hasn't made decisions in a vacuum and another town manager might.

Gary Champion 3 Pallamino Way: There is an executive body, that is the Selectman and the Town Meeting is the voting public who should weigh in. Mr. Champion opinion is that the Selectman should make this appointment and not the town manager.

Tony Giannelli 98 Argilla Road, Jeff Cann 1 Beachview Road: Tony has lived in Ipswich since 2004 and has been a sailor and currently a kayaker. He is interested in helping people to have good access to the waterways. Jeff moved to Ipswich in 2003 and is a recreational boater and saw the opening to volunteer and he was interested to help and learn more about it. He is also the IYBC representative. Mr. Surpitski complimented the town manager on her selections.

Electric Light Department Budget:

Karen Repucci and Don Newell appeared before the Board. This continues funding system improvements and encourages conservation. Maintains competitive electric rates, funds the operations manager position and provides a hedge against increasing capacity costs. A PowerPoint presentation was presented to the Board and discussed at length. The subcommittee has voted to support the FY17 budget as presented and staff is recommending the Board approve the budget. The Capital budget is \$922,087 and the Operating Budget \$16,172,219, Pilot Payment \$336,803 and the Projected Net Income \$6,335. Mr. Rauscher explained the committee is looking into several things and they may come in the fall for rate structures and they plan to research how to squeeze more value out of the conservation fund.

VOTE: Mr. Rauscher moved to approve the budget as presented, Mr. Surpitski seconded. The motion passed unanimously.

DPU Report:

Karen Repucci and Don Newell appeared before the Board. The DPU Report is completed and they have collected a lot of data in the last year's report. All of this information is available and pension liability was on the report for the first time this year. Mr. Newell wanted to say that the bulk of this extensive report is done by Ms. Repucci with help from staff. Mr. Mootafian said there was a graph on outages and he can't remember a long period of time that we are out of power, and he wanted to compliment them on this. This is a testament to the department.

VOTE: Mr. Surpitski moved to approve and execute the DPU Report, Ms. Field seconded. The motion passed unanimously.

PPFA Surplus Transfer

Don Newell and Karen Repucci appeared before the Board. As a result of a lower than expected costs they are expecting to have a surplus in the FY2016 PPFA of \$494,966 in the Electric Light Department. The subcommittee reviewed options on what to do with that surplus. Staff strongly recommended the repayment of a loan from our rates stabilization fund so they can fund the installation of catalysts in the 2014/2015 budget. There is a strong feeling they would like to fund the OPEB for FY2016 at the annual requirement of \$24,867 (in addition to what is already budgeted for) and they would like to accelerate the internal loan by the catalyst for \$420,000 which is the remaining balance. That would give them a projected carry over of \$50,099 and they would like to transfer \$28,727 in additional to the initially budget funds to OPED for FY2017. Ms. Crosbie said she knows the rate study involves building up reserves. Mr. Newell explained that is why they want to repay the loan early and they do have goals to have more of a surplus.

VOTE: Mr. Surpitski moved to approve the FY2016 PPFA Surplus reallocation and Ms. Field seconded. The motion passed unanimously.

Approval of Minutes:

March 27, 2016:

VOTE: Mr. Rauscher moved to approve the March 27th minutes, Mr. Surpitski seconded. The motion passed unanimously.

April 4, 2016 Open and Executive Session:

VOTE: Mr. Rauscher moved to approve the open session minutes, Mr. Surpitski seconded. The motion passed unanimously.

VOTE: Mr. Rauscher moved to approve the executive session minutes from April 4th, Mr. Surpitski seconded. The motion passed unanimously.

Consent Agenda

Cuvilly Farm for May 6th for a One Day Liquor License

VOTE: Mr. Surpitski moved to approve the license provided it meets all the state requirements, Mr. Rauscher seconded. The motion passed unanimously.

Over 70 Shellfish Licenses for Robert Riddle and Paul Pearly

VOTE: Mr. Surpitski moved to approve, Mr. Rauscher seconded. The motion passed unanimously.

Street Sidewalk Blocking:

Olde Ipswich Days for July 29th-July 31st

VOTE: Mr. Rauscher moved to approve the street blocking permit for July 29th-July 31st, Mr. Surpitski seconded. The motion passed unanimously.

Sub-Committee Reports:

None

Old Business:

Mr. Rauscher feels it might be worth individually or collectively to consider the Kinder Morgan pipeline that is going to come through much of the area. Mr. Rauscher explained Congressman Molton is seeking input only through May 20th. This is a proposed high pressure liquid gas pipeline going through a lot of conservation area, in many areas right along the river. He feels it is worth the Boards while to weigh in. He proposes that at the next meeting we look at the information and have a motion about sending a letter. Ms. Crosbie asked if there was a presentation that can be accessed, Mr. Rauscher said Mr. Catonguay did a brief presentation and he could not find it but he has reached out. Mr. Mootafian asked if Mr. Catonguay should come in a speak to the Board and it was agreed that this may be helpful. Mr. Mootafian explained the next meeting is packed so let's put this on the May 16th agenda.

Ms. Crosbie said conversation has been going on the last few weeks and there is a proposal citizens petition to put together a climate action plan committee. Before that group came in, and in 2006 the Board created a commission on energy use and climate protection and somehow that was never put into our list of Boards and Committees. So the Board does have an active commission on climate protection. In 2013 they gave a presentation to the Board some of their reports say it is unlikely the town will meet emission reduction target by 2020, and acknowledged the electric light department is implementing recommendations. After this the committee sort of dropped off, and she is trying to get a sense if this committee is still in place. Mr. Rauscher said that in light of the fact that the very people who would be on the committee that haven't been voted out are the same who want a different vehicle. He feels this should be a Board of Selectman committee. He still feels there is a hole, which is that the Board needs to decide who is going to own this. He doesn't feel the committee as proposed for town meeting won't fix the issues. Ms. Crosbie said a lot of the recommendations have been taken to heart, and are documented. The two big issues are focusing on electric light department and hiring 1.5 FTEs. She wanted to point out that committee is apparently in place even if the last heard of them is 2013. Ms. Crosbie felt there may have been a misconception that when the Board was presented to they may have felt that those would be implemented. Mr. Rauscher felt the Board did vote on a target at the time. Ms. Crosbie said this happened in 2006, the Board voted on a resolution.

VOTE: Mr. Rauscher moved to disband the Climate Energy Use Commission, Mr. Supritski seconded.

DISCUSSION: Mr. Rauscher felt maybe it would be better to wait at town meeting. Mr. Surpitski thought the Board may have voluntarily disbanded at a meeting. Mr. Rauscher said this was not in the minutes of that time period. Ms. Crosbie said it is not in the minutes, she had looked into this.

WITHDRAW: Mr. Rauscher withdraws his motion. Mr. Surpitski withdraws his second.

New Business:

Mr. Mootafian announced Arbor Day which began on April 10, 1862 it is celebrated the last Friday in April. The Board of Selectman proclaim April 29th to be designated as Arbor Day.

Adjournment

VOTE: Mr. Surpitski moved to adjourn at 9:14, Ms. Field seconded. The motion passed unanimously.

Respectfully submitted by
Jennifer Dionne
4.25.16

MEMORANDUM

TO: BOARD OF SELECTMEN
FROM: JENNIFER F. BREAKER, SPECIAL ASSISTANT TO BOS/TM
SUBJECT: ONE DAY LIQUOR LICENSE APPLICATION(S)
DATE: 4/25/2016

I attach the following application for one-day liquor license:

- 1) ECTA Ectathlon at Ebsco Parking lot June 4, 2016, 2016, License #1 of 30 for 2016.

Each establishment is allowed 30 licenses per calendar year. The request has been reviewed by the Police Chief, Fire Chief and Health Agent.

Kindly vote on the attached request(s).

[Print](#)**One Day Alcoholic Beverage License Application - WINE & MALT BEVERAGES - Submission #810**

Date Submitted: 4/20/2016

Special or "one day" licenses for the sale of wine and malt beverages are available to the responsible manager of any indoor or outdoor activity or enterprise (for profit or non-profit) which, in the opinion of the Town of Ipswich Board of Selectmen, complies with all state and local requirements and demonstrates satisfactorily that granting of the license is in the best interests of the Town of Ipswich. This application must be submitted at least two weeks prior to the event. The application fee must be submitted with application.

I hereby make application for a ONE DAY SPECIAL WINE & MALT BEVERAGE LICENSE for the purpose of selling and dispensing all alcoholic beverages permitted by law at a

Name and Location of Event*

ECTA's ECTAthlon in the EBSCO Parking Lot - 10 Estes Street

Organization Applying for License*

Essex County Trail Association

Address*

P.O. Box 358

City*

Hamilton

State

MA

Zip

01936

Date & Time of Event*

6/4/2016

10:00 AM

List name, title and address of all officers and managers of the Non-Profit Sponsor applying:*

Susan Lawrence - Chairman of the Board
Carol Lloyd - Director of Trail Maintenance

What kinds and quantities of alcohol beverages (kegs, bottle, etc.) will be available for sale and from what source will they be purchased?*

The Ipswich Ale Truck will be there only. No wine.

What is the maximum number of expected attendees?*

175

What percentage of expected attendees are members of the Non-Profit Sponsor?

80%

What is the predominate age group of the expected attendees?*

25 - 65

Is an admission fee to be charged?*

☐ Yes

☒ No

How will alcoholic beverages be dispensed or served?*

☐ Waiter/Waitress

☒ Bar with Bartender

☒ By the Glass or Bottle

☐ Self Serve

☐ Other

Please check all that apply

If "Other" was selected, please explain

Who will be serving alcoholic beverages?*

Ipswich Ale will have a server with the truck

If any attending are under age 21, what method will be used to check identification and what procedures will be followed to make certain that those under age 21 are not served and are not allowed to consume alcoholic beverages?*

The server will check all ID's

Will a police detail or other security be provided?

No

If Yes, name and address of provider and how many?

Name and phone number of the official, employee, or representative of the Non-Profit Sponsor who will be present at the event and who has been duly authorized by the Non-Profit sponsor to be responsible for supervising the event to ensure that it is properly controlled and that all the State and Town laws and regulations are complied with.

First Name*

Susan

Last Name*

Lawrence

[REDACTED]

[REDACTED]

I certify under penalty of perjury that:

- a) I am a citizen of the United States and the duly elected/appointed of the Organization applying;
- b) I shall be responsible for the proper observance of all laws and conditions governing this license;
- c) All information contained in this application is true and correct;
- d) The Establishment/Person has the right or has made arrangements to use the location for which this License is sought on the date and at the time requested (please provide documentation);
- e) The Establishment/ Person has approved the gathering for which the License is sought and the filing by me of this Application;
- f) Food service is required at a one-day function where alcoholic beverages are to be served, per rules and regulations.

LIABILITY DISCLAIMER FOR ONE-DAY ALCOHOLIC LICENSES

By exercising the privileges of this license in serving persons with alcoholic beverages, the license is potentially exposed to significant liability for injuries and damages to persons served or to others who are injured or damaged by the persons served. Your acceptance and exercise of this license will be deemed to be acknowledgement that you are aware of this potential liability. You are encouraged to discuss the risks associated with exercising your privileges of the license and the precautions appropriate to avoid injuries, damage and liability to others with your legal and/or insurance advisors. The Town of Ipswich, and the Board of Selectmen as Local Licensing Authority, shall not be liable to the licensee or others if injury or damage shall result from the exercise of the license.

Signature (Type Name Below)*

Date

Carol Lloyd

4.20.2016

Approved - Police Department

Date

Chief Paul A. Nikas

04/21/16

Remarks

--

Approvd - Fire Department**Date**

Chief Gregory G. Gagnon

4/21/16

Remarks

None

Approved - Health Department**Date**

Colleen Fermon

4/20/16

Remarks**Board of Selectmen**

-- Select One --

Date of BOS Meeting**License Number****Date of Notice sent to ABCC****Remarks**

For BOS office use

MEMORANDUM

TO: BOARD OF SELECTMEN
FROM: JENNIFER F. BREAKER, SPECIAL ASSISTANT TO BOS/TM
SUBJECT: APPLICATION FOR STREET AND/OR SIDEWALK BLOCKING
DATE: 4/25/2016

I attach an application for street blocking from Christine Waitt for street blocking of 7 Blaisdell Terrace (South Green) August 20 for Annual Street Block Party.

This request has been reviewed and approved by the Department of Public Safety, Department of Public Works and Department of Code Enforcement.

Kindly vote on this street blocking permit request and include in your vote the applicant must coordinate police details with the police department for the hours of operation as recommended by the Department of Public Safety.

TOWN OF IPSWICH
APPLICATION FOR STREET OR SIDEWALK BLOCKING
Must comply with OSHA Regulations and Local Rules

Section I (to be filled out by applicant)

Name of Applicant: CHRISTINE WAITT
Address of Applicant: 7 BLAISDELL TERRACE
Contact Phone Number: 978-857-1278
Address of (STREET) or SIDEWALK Blocking (please check which):

X Total Blocking Partial Blocking
Date(s) of Blocking: AUGUST 20th 2016
Purpose/Details of Blocking: ANNUAL STREET BLOCK PARTY

REQUIREMENTS:

Please attach INSURANCE CERTIFICATION to this form and read Rules and Regulations for Sidewalk Blocking

Signature of Applicant: Christine Waitt Date: 4-14-16

SECTION II (to be filled out by Department Heads)

Insurance Certification has been attached to form YES NO

DEPARTMENT OF PUBLIC SAFETY X Approved Disapproved

Recommendations: if barricades are need notify DPW in advance. They will be left on Friday.

Signature: [Signature] Date: 4/15/16

DEPARTMENT OF PUBLIC WORKS X Approved Disapproved

Recommendations:

Signature: Paul A. [Signature] Date: 04/19/16

DEPARTMENT OF CODE ENFORCEMENT ✓ Approved Disapproved

Complies with OSHA Complies with Local Rules ✓

Recommendations:

Signature: [Signature] Date: 4/21/16

SECTION III (to be filled out by Selectmen)

SELECTMEN:

This application for the blocking of a street or sidewalk is hereby: Approved Disapproved

Signature:

Date Approved by Board of Selectmen:

Memo

To: Board of Selectmen
From: Pam Carakatsane
Date: April 20, 2016
Re: Subway

Attached is a copy of the Common Victualler's License application form submitted by the new owner Nadia Ali of Subway.

The fee has been paid.

Kindly vote on this matter pending no outstanding debt to the Town by the applicant.



TOWN OF IPSWICH

COMMON VICTUALLER
APPLICATION/RENEWAL
(M.G.L. Ch 140 §§ 1-9, MGL Ch 62C § 49A,
MGL Ch 152 § 25C(6) & Town Regulation)

TOWN CLERK'S STAMP

2016 APR 19 P 2:57

RECEIVED
TOWN CLERK
IPSWICH, MASS.
(06/03/15 P. Carakitsas)

***** ONLY COMPLETE APPLICATIONS WILL BE ACCEPTED *****

☒ NEW

☐ RENEWAL

REQUIRED DOCUMENTATION

☒ Fee - \$100.00

☒ REAP Form

☐ Floor Plan (new licenses only)

☒ Workers' Compensation
Insurance Affidavit

☒ Worker's Compensation
Policy Declaration Page

NOTE:

IF YOU ALSO PLAN TO HAVE ENTERTAINMENT ON YOUR PREMISES, STATE AND LOCAL STATUTES REQUIRE THAT YOU OBTAIN AN ENTERTAINMENT LICENSE.

PLEASE PRINT:

Applicant's Name: NADIA ALI Applicant's Phone: [REDACTED]

Applicant's Address: 32 CENTRAL ST, IPSWICH, MA-01960

Name of Business: SUBWAY Business Phone: 978-312-0176

Business Address: 32 CENTRAL ST, IPSWICH, MA-01960 FID or SSN: [REDACTED]

NEW APPLICATIONS ONLY:

PLEASE COMPLETE THE NEXT ITEMS

1. Hours of Operation: 7:00 AM to 10:00 PM
2. Former Activity at Premises: SUDWAY
2. Are Premises Completed? ☒ Yes ☐ No
If no, have you obtained site plan approval from the Planning Board? ☐ Yes ☐ No Date: _____
- ③ Have you obtained a Building Permit? ☐ Yes ☐ No Date: _____ ☒ Have you obtained an Occupancy Permit? ☒ Yes ☐ No Date: APRIL '14 2013
4. Are the premises equipped with fixtures or supplied with the necessary implements and facilities to conduct the business? ☒ Yes ☐ No
- ⑤ Have you obtained a Food Service Permit from the Health Agent? ☒ Yes ☐ No Date: _____
- ⑥ Have you attached a plan of the premises describing the location of all exits, restrooms, facilities and permanent fixtures? ☒ Yes ☐ No Date: _____

NEW APPLICATIONS

PLEASE OBTAIN RECOMMENDATIONS FROM INSPECTORS PRIOR TO SUBMITTING APPLICATION TO THE TOWN CLERK'S OFFICE

Building Inspector: <u>[Signature]</u>	<input type="checkbox"/> Date <u>3/14/16</u>	<input checked="" type="checkbox"/> Recommend <input type="checkbox"/> Do Not Recommend
Fire Chief: <u>[Signature]</u>	<input type="checkbox"/> Date <u>4/6/16</u>	<input checked="" type="checkbox"/> Recommend <input type="checkbox"/> Do Not Recommend
Board of Health: <u>[Signature]</u>	<input type="checkbox"/> Date <u>4/7/16</u>	<input checked="" type="checkbox"/> Recommend <input type="checkbox"/> Do Not Recommend

I HEREBY SWEAR (AFFIRM) UNDER THE PAINS AND PENALTIES OF PERJURY THAT I AM THE PERSON NAMED ABOVE AND THAT THE INFORMATION PROVIDED BY ME IN THIS DOCUMENT IS TRUE.

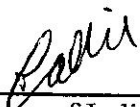
Applicant's Signature [Signature]

Date 3/14/16

MASSACHUSETTS DEPARTMENT OF REVENUE

REVENUE ENFORCEMENT AND PROTECTION (REAP) ATTESTATION


I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.



*Signature of Individual or Corporate Name (Mandatory)

NADIA ALI

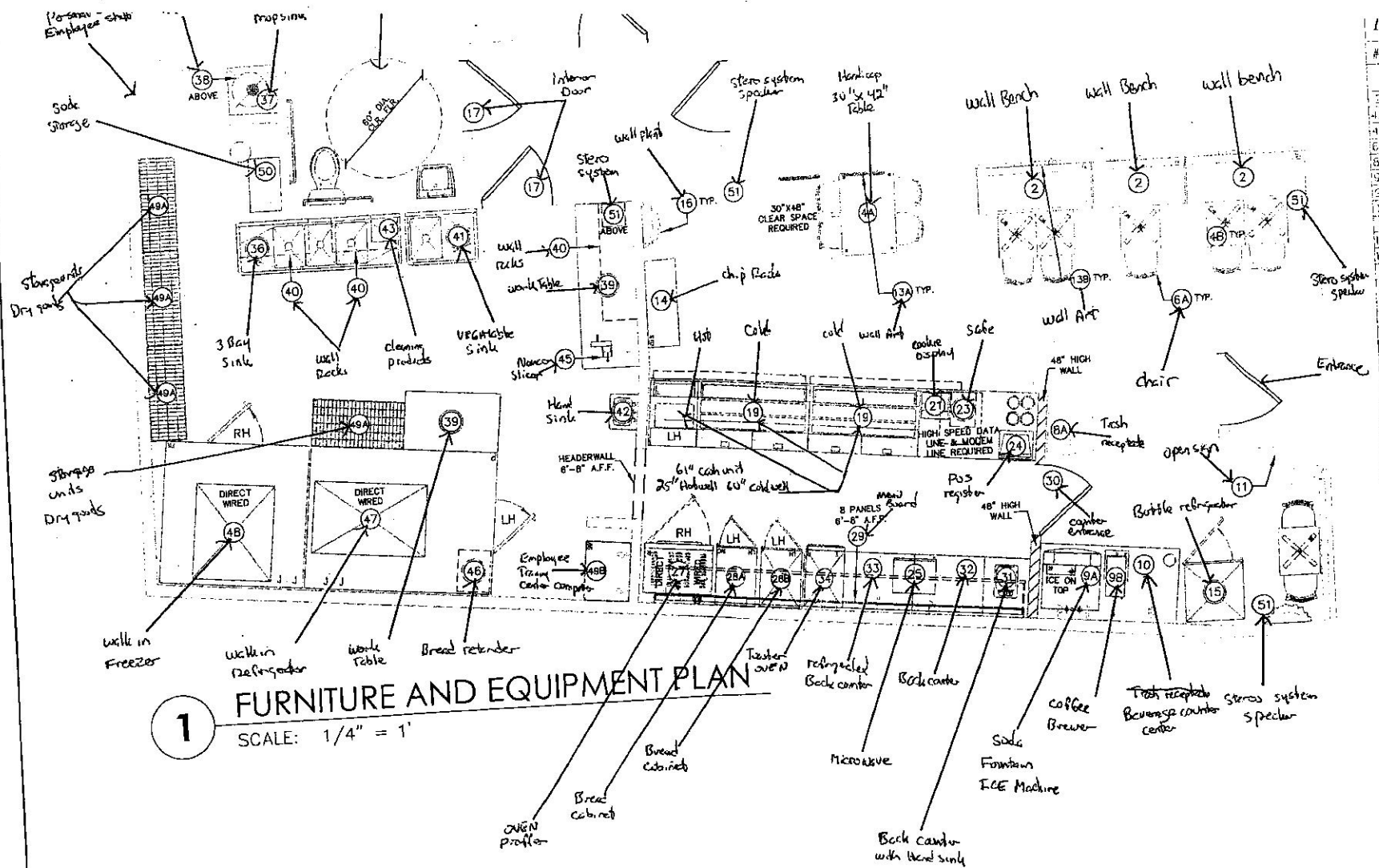
By: Corporate Officer (Mandatory, if applicable)



** Social Security # or Federal Identification Number

* This license will not be issued unless this certification clause is signed by the applicant.

** Your Social Security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Massachusetts General Law, Chapter 62C, § 49A.



Approved Banner List - April 2016

<u>Date Approved</u>	<u>Organization/Event</u>	<u>Date(s) of Event</u>	<u>Dates Banner will Hang</u>
	Ipswich Garden Club - Annual Plant Sale	5/12/2016	05/12 - 05/22
4/20/2016	Good in the Hood/ Ipswich Brewery	5/22/2016	05/12 - 05/22
4/20/2016	MOZART!!! - Chorus North Shore	6/4/2016	05/27 - 06/05
4/20/2016	North Shore Cancer Walk	6/26/2016	06/17 - 06/25
4/20/2016	Vacation Bible School	Ongoing	06/01 - 06/10
4/25/2016	Roaring 20's Lawn Party - Trustees	7/31/2016	07/22 - 07/31

Recent Employee Changes

April 1, 2016 – May 1, 2016

New Hires:

Jonathan Blair – Electric Light Department Operations Manager – Effective: May 2, 2016

Sarah Johnson – Finance Director – Effective May 23, 2016

We will be scheduling a time after Mr. Blair and Ms. Johnson's start date for them to appear before the Board for introduction.

Promotions:

Separation/Retirement:

Current Vacancies: *all vacancies are posted to the Town website under employment. Parties interested can register to receive automatic notification via email or text when new vacancies are added to the website.*

PT Dispatcher – Accepting Applications from May 2 – May 16, 2016